

LOCAL GOVERNMENT
AND
TAXATION OF TOWNS INQUIRY COMMISSION
(IRELAND).

PART III.

REPORT AND EVIDENCE,
WITH
APPENDICES.

Presented to both Houses of Parliament by Command of Her Majesty.



DUBLIN:
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CONTENTS OF PART III

LIST OF TOWNS IN WHICH THE COMMISSIONERS HAVE HELD INQUIRIES,	iii
LIST OF WITNESSES,	iv
CONTENTS OF APPENDICES,	vi
REPORT,	1
SPECIAL REPORTS ON NEWRY, DUBLIN, WEXFORD, SLIGO, GALWAY, AND CASHEL,	19
MINUTES OF EVIDENCE,	61
APPENDIX,	350

LIST OF TOWNS IN WHICH THE COMMISSIONERS HAVE HELD INQUIRIES.

PART I.

Name.	Date.	Number of Days.	Name.	Date.	Number of Days.
1876.					
Limerick, . . .	Sept. 20th, 21st, 22nd, and 23rd, 26th, and 27th.	Six.	Waterford, . . .	Oct. 26th, 26th, 27th, . . .	Three.
Ennis, . . .	" 25th and 26th, . . .	Two.	Carrick-on-Shannon, . . .	" 27th, . . .	One.
Rushmore, . . .	" 27th, . . .	One.	Kilkenny, . . .	" 28th, . . .	One.
Malware, . . .	" 28th, . . .	One.	Carlow, . . .	" 31st, . . .	One.
Kilkenny, . . .	" 29th, . . .	One.	Wicklow, . . .	Nov. 11th, . . .	One.
Trillick, . . .	Oct. 2nd, . . .	One.	Athlone, . . .	" 16th, . . .	One.
Skibbereen, . . .	" 3rd, . . .	One.	Bray, . . .	" 18th and 25th, and Jan. 20th, 1877.	Three.
Clonsilla, . . .	" 3rd, . . .	One.	Trillick, . . .	" 20th, Dec. 5th, and Jan. 11th, 1877.	Three.
Cork, . . .	" 4th, 5th, 6th, 7th, 8th, 10th, 11th, and 13th.	Eight.	Belfast, . . .	Dec. 11th, 12th, 13th, 14th, 15th, 19th, 20th, 21st, 22nd, and 23rd, and Jan. 3rd, 4th, 5th, 6th, and 8th, 1877.	Fifteen.
Kinsale, . . .	" 10th, . . .	One.	Curtisfergus, . . .	" 16th, . . .	One.
Queenstown, . . .	" 12th, . . .	One.	Ballymore, . . .	" 18th, . . .	One.
Bandon, . . .	" 14th, . . .	One.	Armagh, . . .	" 18th, . . .	One.
Youghal, . . .	" 16th, . . .	One.	Newtownards, . . .	" 18th, . . .	One.
Cashel, . . .	" 17th, Dec. 29th and 30th.	Three.			
Parsonstown, . . .	" 18th and 19th, . . .	Two.			
Dungarvan, . . .	" 18th, . . .	One.			
Nough, . . .	" 20th, . . .	One.			
Fermoy, . . .	" 20th, . . .	One.	Downpatrick, . . .	Jan. 8th, . . .	One.
Tipperary, . . .	" 21st, . . .	One.	Lisburn, . . .	" 8th, . . .	One.
Clonmel, . . .	" 24th, . . .	One.	Lurgan, . . .	" 8th, . . .	One.

PART II.

Belfast, . . .	Dec. 11, 12, 13, 14, 15, 19, 20, 21, 22, 23, and Jan. 3, 4, 5, 6, and 9, 1877.	Fifteen.	Trim, . . .	Nov. 29, Dec. 5, and Jan. 11, 1877.	Three.
			Wicklow, . . .	" 11, and Feb. 10, 1877.	Two.

PART III.

Portadown, . . .	March 8, 1877, . . .	One.	New Ross, . . .	May 16 and 17, 1877, . . .	Two.
Dundalk, . . .	" 9, . . .	One.	Cookstown, . . .	" 21, . . .	One.
Ardee, . . .	" 12, . . .	One.	TOWNS SPECIALLY REPORTED ON.		
Kells, . . .	" 16, . . .	One.	Newry, . . .	March 5 and 7, 1877, . . .	Two.
Nana, . . .	" 19, . . .	One.	Dublin, . . .	" 24, 25, 26, 27, 28, . . .	Five.
Droghda, . . .	" 21, . . .	One.	Wexford, . . .	May 14 and 15, . . .	Two.
Enniskillen, . . .	" 23 and 24, . . .	Two.	Sligo, . . .	" 18 and 19, . . .	Two.
Londonderry, . . .	" 26, . . .	One.	Galway, . . .	" 22 and 23, . . .	Two.
Coburn, . . .	" 26, . . .	One.	NOT INCLUDED IN LAST REPORT.		
Fethard, . . .	April 3, . . .	One.	Cashel, . . .	Oct. 17, Dec. 29 and 30, 1876.	Three.
Tam, . . .	May 16, . . .	One.			

SUPPLEMENT TO PART III.

Kingstown, . . .	April 5, 6, 7, 11, 12, 13, 14, May 5, and June 29.	Nine.	Dulke, . . .	April 9, . . .	One.
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LIST OF WITNESSES.

PORTADOWN.

	Page
Mr. W. J. Paul,	41
Mr. Averell Shillington, J.P.,	46
Dr. W. Stewart,	46
Mr. John Eccles,	67
Mr. W. J. Guy,	67
Mr. Anthony Gowdy,	67
Mr. John Johnston,	67

DUNDALK.

Mr. E. Fenne,	68
Mr. John Murray,	72
Dr. John Brown,	73
Mr. L. Curran,	75
Mr. Joseph Dickey,	77

ARDEE.

Mr. J. F. Elkins,	77
Mr. Peter Hickey,	80
Mr. William Gurell,	81
Mr. Peter Mackay,	82
Mr. P. Magee,	82
Mr. J. Curran,	82
Mr. T. Dolan,	83

KELLS.

Mr. John Norris,	83
Mr. Michael Freeman,	91
Mr. Geo. Mullin,	92

NAAS.

Mr. W. S. Gray,	92
Dr. Hayes,	94
Mr. James Semmon,	97
Mr. Ebenezer Malloy,	98

DROGHEDA.

Mr. J. Killean,	99, 103, 114
Mr. J. Moore,	101, 103, 108
Alderman Daly,	107
Mr. George Kraggs,	109, 114, 115
Mr. J. G. F. Greene,	110
Mr. Harvey,	111
Dr. Kelly,	111
Mr. T. McKenna,	113
Mr. J. Curtis,	114

ENNISKILLEN.

Mr. J. Cleland,	115
Mr. Leman,	119
Mr. John Wray,	123
Mr. Edward Smyth,	125
Mr. Henry Lowe,	125
Mr. J. Jordan,	117, 126, 130
Mr. J. Oulster, J.P.,	130
Mr. William Carson,	130, 131
Dr. B. P. Walsh,	132
Dr. Baptist Gamble,	132
Mr. William Arthur,	133

LONDONDERRY.

	Page
Mr. William Stafford,	134, 135, 138, 141
Mr. Abraham H. Stewart,	136
Sir W. Miller,	136, 147
Mr. J. Algeo,	137
Mr. Richard Waller,	139
Mr. Thomas Chambers,	139
Mr. M. B. Lane,	140
Mr. W. J. Robinson,	142, 143
Mr. Robert Hume,	144
Mr. J. E. O'Doherty,	147
Signer E. Tonnano,	147

COLERAINE.

Mr. J. Colbert,	148, 154
Mr. J. Robinson,	154
Mr. J. Harvey,	157
Dr. R. L. McIntyre,	158
Dr. J. C. L. Carson,	160

FETHARD.

Mr. Michael Murphy,	161, 163
Mr. F. Sayre,	162, 163
Mr. James Tolson,	164
Mr. H. B. Sayre,	164
Mr. John Shea,	165

TUAM.

Mr. John Lyons,	165
Mr. William Gannon,	167, 169
Mr. W. F. Henderson,	168
Mr. M. Faby,	169
Mr. E. J. Connamon,	172

NEW BOSS.

Mr. S. E. McCormack,	179
Dr. P. Mullen,	177
Mr. James Maher,	179
Mr. James Tobin,	180
Mr. William Moore,	182

COOKSTOWN.

Mr. J. W. Fleming,	183
Mr. J. Harrison,	183
Dr. H. Graves,	187
Mr. J. M. Weir,	188
Mr. W. A. Gunning,	189
Mr. John Richard,	190
Mr. Hugh Adair,	190
Mr. William Smith,	191
Mr. J. McMillan,	191
Mr. J. Thompson,	191
Mr. T. McClelland,	191

NEWRY.

Mr. B. H. Doberty,	191, 205
Dr. A. McRae,	200
Mr. T. Carey,	203
Dr. F. Crooke,	203
Mr. J. D. Meares,	204
Mr. J. Fegan, J.P.,	206
Mr. J. J. O'Hagan, J.P.,	207
Mr. Michael Denvir,	207

LIST OF WITNESSES.

v

DUBLIN.

	Page
Mr. John Norwood, M.P.,	208, 220
Mr. John Byrne,	220, 241
Alderman Harris,	224
Mr. T. Dockrell,	228, 229
Alderman Manning,	229
Mr. J. Martin,	230, 240, 253
Mr. J. J. Lalor,	230, 242, 244, 248
Mr. Murphy,	231, 251
Mr. A. Altman,	251
Mr. J. McEvoy,	252
Mr. F. Dowling,	253
Mr. Francis Morgan,	253
Mr. Barlow,	241
Mr. E. G. Webb,	242
Mr. P. Haughton,	244
Mr. M. Lyons,	247
Mr. T. O'Donnell,	254, 259, 261
Mr. Beveridge,	257, 265
Mr. Parks Neville,	263
Hon. J. P. Vetcher,	269

WEXFORD.

Mr. Thomas M. O'Leary,	276, 281, 290, 291
Mr. Thomas Lacy,	274, 280
Mr. N. MacDonnell,	277
Mr. Peter Chandler,	279
Mr. N. Hughes,	279
Mr. W. Hughes,	280
Mr. T. Chaney,	281
Mr. John Heron,	282
Dr. M. J. Sheridan,	283
Mr. W. Timpeon,	284
Rev. M. Vinny,	286
Mr. John Hinton,	286, 291
Mr. R. Sparrow,	287
Mr. Joseph Walsh,	290
Mr. Jasper Walsh,	290
Mr. B. Hughes,	291
Mr. John Greene,	291

SLIGO.

Mr. James McKim,	292, 296
Mr. Edward O'Han,	297, 298
Mr. Moloney,	298
Mr. W. Cochran, M.P.,	298

SLIGO—continued.

	Page
Mr. P. C. Devany,	299
Mr. M. Deherby,	300
Mr. R. Crawford,	301
Mr. W. T. Vernon,	302
Dr. T. Marmy,	303
Dr. John Lynam,	303
Mr. J. Walsh,	304
Mr. C. Simpson,	304
Mr. E. H. Pelletier,	304
Alderman Kidd,	305
Alderman Tighe,	305
Mr. Nelson,	306
Alderman Middleton,	307
Alderman Woods,	308

GALWAY.

Mr. John Redington,	306, 310, 322, 323
Mr. J. A. Browne,	314
Mr. Denis Kelly,	315
Mr. James Forbes,	315
Mr. John Gill,	316
Rev. P. Kiernan,	316
Mr. J. Hyne,	318
Mr. R. N. Samerville,	320
Mr. James Davis,	321
Mr. F. L. Conyn,	322
Dr. N. Clayton,	323
Dr. Brodie, M.D.,	324
Mr. P. J. Stack,	325
Mr. Reilly,	326
Dr. F. Grosby,	326

CASHIEL.

Mr. John Corby,	326, 333, 337, 342, 345
Mr. Q. Hanly,	330, 335, 336, 337, 341
Mr. P. Corcoran,	332, 348
Mr. J. Mullins,	333
Dr. M. P. Connock,	335
Mr. Patrick Burke,	335
Mr. Daniel Foley,	341
Mr. R. Supton,	342
Mr. M. Supton,	342
Mr. John Ryan,	347, 349
Dr. T. Laffan,	343, 349
Mr. W. Murphy,	349

CONTENTS OF APPENDICES IN PART III.

No.		Page	No.		Page
1.	PURTHDOWN :		14.	NEWRY :	
	Town Commissioners,	350		Town Commissioners,	364
	Abstract of Accounts,	350		Abstract of Accounts,	365
2.	DUNDALK :		15.	DUBLIN :	
	Town Commissioners,	351		Schedule of Proposals for New Leases,	366
	Abstract of Accounts,	351		Report of Francis Morgan—Explanation of Leases,	366
3.	ARDFEE :			Proposed By-law for the Regulation of Lettings of Corporate Property,	367
	Town Commissioners,	352		Notice of Memorial to Treasury,	367
	Abstract of Accounts,	352		Report of Mr. Morgan—Torn of Baldoyle,	368
4.	KELLS :			Report of No. 3 Committee— <i>Re</i> Gerty's Proposal,	369
	Town Commissioners,	353		Statement of Facts— <i>Re</i> the Town Clerk, Expenditure of No. 1 Committee,	370
	Letter from Mr. Collet, relative to Proposed Advance of £1,200,	353		Summary of Horan, &c., Account,	375
	Abstract of Accounts,	353		Return of Cost of Macdonalding,	378
	List of Lands and Tenements, &c.,	354		Abstract Apportionment of Net Expenditure,	377
5.	NAAS :			Balance Sheet of No. 1 Committee,	377
	Town Commissioners,	354		Improvement Fund of Dublin during Eight Years,	378
	Abstract of Accounts,	354		Report of Francis Morgan—Sale of Corporation Lands,	382
6.	DROGHEDA :			Report— <i>Re</i> Proposed Disallowance,	384
	Corporation,	355		Names, Ages, Service, &c., of Worn-out Workmen,	385
	Auditor's Report,	355		Return of Duties of Officers in connexion with Committee No. 2,	386
	Abstract of Accounts,	355		Duties of Officers attending the Sward, &c.,	386
7.	ENNERVEILLY :		16.	WEXFORD :	
	Town Commissioners,	356		Corporation of Wexford,	387
	Abstract of Accounts,	357		Abstract of Accounts,	387
	List of Lands, Tenements, &c.,	358	17.	SAGO :	
8.	LONDONDERRY :			Corporation,	388
	Corporation,	358		Abstract of Accounts,	388
	Abstract of Accounts,	359		Master of the Rolls' Opinion— <i>Re</i> Butter Market,	389
	Report of Consulting Sanitary Officer,	359		Opinion on Additional Queries,	389
	Executive Sanitary Officer's Report,	360		Memorial of the Butter Merchants of Sligo,	389
9.	COLEGRAVE :		18.	GALWAY :	
	Town Commissioners,	360		Town Commissioners,	391
	Abstract of Accounts,	361		Abstract of Accounts,	391
	Rental of Estate,	362	19.	CARRIG :	
10.	FERRARD :			Town Commissioners,	392
	Town Commissioners,	362		Abstract of Accounts,	393
	Abstract of Accounts,	362		List of Lands or Tenements, &c.,	393
11.	THAM :			Extracts from Minutes,	393
	Town Commissioners,	362		Scheme for the Appropriation of Corporate Funds,	394
	Abstract of Accounts,	362			
12.	NEW BOM :				
	Town Commissioners,	363			
	Abstract of Accounts,	363			
	Statement of Rate,	364			
13.	COCKSTOWN :				
	Town Commissioners,	364			
	Abstract of Accounts,	364			

LOCAL GOVERNMENT AND TAXATION OF TOWNS INQUIRY COMMISSION (IRELAND).

REPORT—PART III.

TO HIS GRACE JOHN WINSTON, DUKE OF MARLBOROUGH, K.G.
LORD LIEUTENANT-GENERAL AND GENERAL GOVERNOR OF IRELAND.

MAY IT PLEASE YOUR GRACE,

Your Grace having been pleased to extend our Warrant from the 1st March, 1877—to which it had been extended at the date of our First Report—to the 30th day of June, inst., we have now the honour to submit the report of our proceedings, together with the evidence taken, in pursuance of the Commission intrusted to us, upon our inquiries at the 19 undermentioned Towns, viz. :—

Cashel.	Kells.	Coleraine.	Tuam.
Newry.	Nass.	Fethard.	Cookstown.
Portadown.	Drogheda.	Dublin.	Sligo.
Dundalk.	Enniskillen.	Wexford.	Galway.
Ardee.	Londonderry.	New Ross.	

These towns, which include the five Municipal Boroughs left unvisited at the date of our First Report, have been—with the exception of Cashel—all visited by us since the renewal of our Warrant on the 1st March last.

It will be seen that this list includes the small Town of Cookstown, which we had not anticipated the necessity of visiting, but two urgent requests having been addressed to us by the Town Commissioners, praying for a personal investigation on the spot, we thought it better that one of our number should comply with their wish, and Mr. Exham, &c., accordingly did so on the 31st ultimo.

On the other hand three small towns mentioned in our First Report as likely to demand local inquiry, viz., Belterbet, Newbridge, and Strahan, we have not visited, the time at our disposal not having admitted of our doing so, and we having had reason to believe that no adequate object would be obtained by our further delaying for that purpose the completion of this Report. (See Answers to Queries addressed to these places in Appendix No. 3, Part I.)

The labour of preparing and passing through the press Part II. of our General Report, containing reports on, and evidence taken at Belfast, Trim, and Wicklow—the evidence taken at Belfast alone extending over 15 days—has, in conjunction with the revision of the evidence taken in the course of our later investigations, occupied so great a portion of our time that we found it would be quite impossible to conclude these inquiries so as to allow a reasonable time for passing the evidence, and our reports thereon, through the press, unless we availed ourselves, even more largely than before, of our discretionary power of holding separate inquiries.

This we have accordingly done, and have thus been enabled to effect to some extent a very useful and necessary division of labour between the work of revision for the press and that of local inquiry.

The inquiry at Dublin, which by the resolution of the Select Committee of the House of Commons, and the terms of your Grace's letter of the 18th of April last, was limited to four points, occupied five days, and that at Kingstown extended over no less than eight. A list of the several towns here reported on, and the date upon which the inquiry was held in each, will be found prefixed to this Report.

We now proceed without further comment to submit, in the order in which the several towns were visited, such remarks as appear to be called for upon the majority of these towns; and we subjoin special reports upon Newry, Dublin, Wexford, Sligo, Galway, and Cashel—the importance, and, in some instances, the peculiar circumstances of which towns appear to demand more detailed notice than can be well introduced within the scope of a General Report.

PORTADOWN.—The Town Improvement Act, 1854, was adopted in Portadown early in 1855, and the town has been since governed by fifteen Town Commissioners, elected under that Act.

The only property possessed by the Town Commissioners consists of the Town Hall, which they hold under a lease for ever from the Duke of Manchester, at the yearly rent of £1 4s. 3d., and of shambles or markets, which they hold on lease at the yearly rent of £32 2s. 5d., and part of which they have let for building at a trifling advance upon this rent.

The Commissioners do not receive any tolls or dues of any kind, but the Duke of Manchester has promised to grant to them his rights to fairs and markets in the town at a nominal price; and it is the intention of the Commissioners, when this grant—which is in course of preparation—shall be completed, to establish public markets in the town, and fairs to be held on a fair green which they have already secured. At present the fairs and markets are held in the streets, and are generally objected to by the inhabitants.

The Town Commissioners levy three rates, viz.:—an improvement rate which has never exceeded 1s. in the pound, which is the rate this year, a sewerage rate of 3d. in the pound, and a mortgage rate of 3d. in the pound for securing loans.

Portadown is not, for the purpose of county taxation, separated from the county of Armagh; and county cess is levied in the town.

The amount of the levy last year was £1,328 1s. 6d., being 1s. 9d. in the pound. The county, however, contributes half the expense of making flagways, and in some cases of repairs of the streets, and the contribution last year was £235 0s. 9d.

The Commissioners have, from time to time, borrowed moneys to the amount of £1,360 for different purposes within the scope of their powers, of which the interest, and £580 of the principal has been paid off, and their capital debt now stands at £800.

DUNDALK.—The Town Improvement Act of 1854 was adopted in Dundalk in 1855. The municipal body consists of eighteen Commissioners who are elected by the four wards into which the town is divided. These wards, their valuations, and the number of voters and representatives of each are as follows:—

Wards.	Valuation.			Voters.	Commissioners.
	£.	s.	d.		
Endowen Ward,	7,794	19	0	299	6
Middle Ward,	6,189	13	0	306	6
North Ward,	3,610	13	0	188	3
South Ward,	2,876	13	0	177	3
	19,871	15	0	970	18

The Town Commissioners have not any control over, and do not derive any income or profit from the Port and Harbour of Dundalk, which is under the management of the Dundalk Harbour Commissioners who are constituted by a special Act of Parliament.

The Town Commissioners have not any property, save the Exchange Buildings purchased by them, in which are the Town Hall, offices, and public news-room and library, from which there are some small annual receipts. (See Appendix No. 2.)

The Town Commissioners have for several years levied three rates annually, viz.:—an improvement rate of 1s. in the pound under the 17 & 18 Vic., cap. 103, a mortgage rate of 3d. in the pound under Section 69 of the same Act, and a library rate of 1d. in the pound under the 18 & 19 Vic., cap. 40, "The Public Libraries (Ireland) Act, 1855."

The mortgage rate, which was originally 4d. in the pound, was first levied in 1865, in order to secure repayment of £4,000 which the Town Commissioners in that year borrowed from a banking company, to enable them to purchase for public purposes the Exchange Buildings above referred to, and the buildings so purchased were conveyed to three trustees for the purposes above mentioned, and the trusts are duly declared by deed—£2,000 of the £4,000 has been since paid off by the application of the 3d. rate and the trifling income derived from these buildings, leaving still due £2,000, which constitutes the only capital debt of the Town Commissioners of Dundalk.

The 1s. rate last year amounted to £399 17s. 3d.

The 3d. rate to £324 19s. 4d., and the 1d. rate to £74 19s. 9d.

Objection has been raised to these rates, especially the 3d. and the 1d. rate, by persons residing just within the outskirts of the borough, who complain that they do not enjoy equal advantages of lighting, &c., with their fellow townsmen.

The town is lighted with gas supplied by the Dundalk Gas Company by contract with the Town Commissioners. There was some suggestion that shareholders in the

Gas Company ought not to be Commissioners, but it was not shown that any wrong had resulted from the two or three instances in which this was the case.

The town is not, for purposes of self-government or county taxation, separated from the county of Louth.

The principal streets of the town are repaired, maintained, and kept as county roads by the Grand Jury of the county of Louth, but, with some trifling exception, the cost of all flagging and the maintenance of the footpaths is defrayed by the Town Commissioners out of the improvement rate.

The county cess for the year ending June, 1876, was, including the spring and summer levies, at the rate of 1s. 11d. in the pound; the valuation of the barony of Dundalk is £51,060, and its contribution to county at large purposes for the year 1876 was £1,941. The valuation of the town being £19,801, its fair proportion of contribution to county at large purposes would be about £750, whereas it amounted, at 1s. 11d. in the pound, to about £1,900. About two years ago the Town Commissioners sought to have the expense of the drainage of the town placed on the county, but this was refused.

It will be seen from the evidence of Mr. Murray, the Town Surveyor, and of the very able and intelligent consulting sanitary officer, Dr. Browne, that the sanitary condition of Dundalk is bad. A good deal has been done to improve the state of the town, and particularly of the houses of the poorer classes, by the Town Commissioners and their sanitary officers; but the sewerage of the town is very defective and quite insufficient, and until this defect be remedied no real improvement can be made.

A very great want in the town is that of a public water supply. There are public pumps provided by the Town Commissioners for the use of the people, but the water is more than one of them has been contaminated by sewage or by saline matter at times of high tides, and some of the pumps have been permanently, and others temporarily closed.

A great nuisance, and one dangerous to health in the town, is the very overcrowded state of the graveyards, which ought, in the medical officers' opinion, to be closed.

There is a piece of ground called the fair-green, on which fairs are held, but markets are still held weekly in the open space called the market Lyceum, and in the other streets, thus causing obstruction and creating a nuisance in the town. The fair-green appears, from the evidence of Dr. Browne, to be in a very defective condition.

ARDEE.—We thought it our duty to visit Ardee, because in the answers by the Town Commissioners to the queries sent by us it was stated that the Town Commissioners under the 17 & 18 Vic., cap. 103, were possessed of property consisting of lands and houses.

Upon inquiry at Ardee, it transpired that the property consisted not of lands but of certain head-rents payable by neighbouring landed proprietors and others, amounting annually to £61 18s. 9d.

These rents, which are not liable to any change or reduction, had been the property of the former Corporation of Ardee, and have since been successively received by the Commissioners under the 9th Geo. IV., cap. 82, and the Town Commissioners under the 17 & 18 Vic., cap. 103.

The inquiry at Ardee, however, proved to be of some importance as disclosing the absolute want of all sanitary arrangements, or of the most ordinary precautions for ensuring the health of the inhabitants.

There is not a single sewer or main drain in the town into which connecting drains can be carried from the dwelling-houses.

Many of the houses are without any space at the rear, and without any closet or privy accommodation whatever, and the consequences are described in the evidence of Mr. Peter Mackey, Ev. 230 to 234.

Cess-pools and dung-heaps are kept close to the doors of the poorer houses, pigs are kept in the houses, pools of stagnant water, and all kinds of filth and refuse, are to be found along the streets and lanes where the poorer people live; and one lane, called College-lane, on both sides of which people live in cabins, was described by one of the residents in it—Mr. William Gurrell—as impassable from the filth and ordure heaped in it.

The houses and cabins on either side are entirely without any rear accommodation, or the means of having it, and the centre of the lane is made the immediate depository of the refuse and filth of these miserable dwellings.

It was stated on the inquiry that College-lane was, in fact, a common privy, and that no person could go through it without having sight, smell, and sense of decency offended.

Nothing appears to have been done by the Guardians of the Ardee Union, as the

DEEDS.
No. 177, 180.

Ev. 182.

Ev. 183, 179.

Mr. Murray.
Ev. 195-198.

Ev. 194.
Ev. 201-204.
Ev. 219.
Ev. 219-224.
Dr. Browne.
Ev. 220-223.
Ev. 224-227.
Ev. 227, 229.

Ev. 228, 229-230.

Ev. 234-236.

Ev. 239-240.
Ev. 240.

Ev. 244-252.

Ev. 236.

ARDEE.

Mr. J. F. McKee.
Ev. 235-244.

Ev. 167.
Mr. Mackey.
Ev. 176-189.
Mr. Gurrell.
Ev. 190-200.
Mr. Mackey.
Ev. 230-234.
Mr. McKee.
Ev. 235.
Mr. Gurrell.
Ev. 236.
Mr. Mackey.
Ev. 239-251.

Ev. 225.

ANDED. Rural Sanitary Authority, to remedy the atrocious condition of this locality, nor indeed to promote any sanitary improvement of the town.

The town pays its proportion of county cess—about £300 a year—and the main streets are repaired and maintained as county-roads by the contractors, under the Grand Jury, but the smaller streets and lanes are entirely neglected by the County Surveyor.

The main evils here described could not be effectually remedied without the introduction of a proper system of sewerage; but from its situation it would appear that the town could be easily drained, and it was stated that in 1875 the Town Commissioners at their personal cost had plans and specifications for making main sewers in the town drawn up by the county surveyor, and thus sought, but without success, to get the necessary work presented for by the Grand Jury.

Mr. Gurrall in March, 1877, sent to the Local Government Board, Ireland, a memorial, signed by several residents in and about College-lane, representing and complaining of the state of that locality. The Local Government Board acknowledged its receipt, and transmitted it to the Poor Law Guardians, the rural sanitary authority, who caused a notice, a copy of which is printed in the evidence, to be served upon the Town Commissioners, but did nothing more, and the nuisances of all kinds remain undisturbed.

KELLS.—The town of Kells is governed by fifteen Commissioners under the Towns Improvement Act of 1854.

The late town clerk was a defaulter to the amount of £150 1s. 5½d. He had never been called upon to execute a bond, nor asked to find sureties, until the Commissioners had reason to believe there was a deficiency, when he was, of course, unable to procure them. No portion of the £150 has been since paid, nor is there any probability that it ever will be. Indeed the Commissioners at their last meeting on the 5th March, just previous to this inquiry, cancelled the debt without any steps having been taken for its recovery, though the late town clerk was, it appeared, still residing in the town, and the auditor had certified the amount to be due from him prior to November last. There does not seem to have been any appeal against the auditor's decision, and it might consequently have been expected that he would in the meantime have instituted proceedings for the recovery of the debt under the powers vested in him by the 13th section of the Local Government Act of 1871, but the present town clerk stated that "he left it to the Commissioners to take proceedings for its recovery or cancel the debt," and no proceedings were consequently taken.

No rate has ever been levied here, the Town Commissioners deriving an income of £1,200 a year from 312 acres (Irish), or over 500 statute acres of land, known as the "Commons of Loyd," which acreage exactly corresponds with that traced into the possession of the old Corporation by Mr. Baldwin the Commissioner who reported in 1833.

From 24 to 25 acres of this are let in four small lots or holdings, viz., 8 acres to Lord Headfort; 8a. 2r. 28p. to Cornelius Gavin, the "herd" or caretaker of the lands; 5a. 1r. 5p. to this man's mother-in-law, which he farms for her; and 2a. 1r. 30p. to the widow of an old freeman.

The remainder of the lands of Loyd, about 287 acres, are let each year, partly as meadow land for hay, partly for grazing, and partly for tillage. The first crop of the meadow land (about 65½ acres), is let always by auction, and on the grazing land (over 100 acres), cattle are taken in upon ley by the Commissioners. Seven Commissioners had cattle on ley there last year, but the town clerk said they were always charged the same rate per head as other people, and he believed that to be a fair price.

On the other hand, Mr. Freeman, one of the Town Commissioners, does not think they get the best price obtainable for the cattle thus taken, and he believes the Commissioners are to some extent influenced by the members of their own body having cattle on the land, and that this consideration also influences them in reserving, as they did last year, and have done in previous years, the after-grass of the meadow land to cke out the pasture for these cattle, instead of always letting this after-grass by auction, when it would probably produce an average of at least £1 per acre, which would result in an addition to their income of from over £60 to £70 a year.

There remain 117½ acres of arable land, which is let in lots for two years at a time, at rents fixed by the Commissioners themselves according to the nature of the crop which is previously stipulated for during each successive letting.

Some of these accommodation lots appear to have been held by Commissioners more frequently in past years than of late. Only one Commissioner was mentioned as holding any at the present time, and he held but three rods.

* For the circumstances of these lettings, and especially those to Cornelius Gavin and his mother-in-law, see Ex. 40-76, and Table of Lettings, *Am.*, *Am.*, since 1840. (Appendix 4, page 354.)

All the accumulations of manure from the street-sweepings, &c., have been for the last five years at least used in manuring this land, instead of being periodically sold, as is usually done elsewhere.

Kells
Ev. 329-334.

Besides these "lands of Loyd" the Commissioners rent on lease from Lord Headfort a dung yard, and a plot of valuable grass land adjoining it, at £9 15s. per annum, and a cottage and garden, known as "the Maudlin Gardens," at £5 15s. per annum. A portion of the latter is let at £4 a year to the Gas Company, as arranged with Lord Headfort at the time the lease was granted by him, and the remainder consists of three gardens and a cottage, of which the latter and one garden are given rent free to Frank Smith, the steward to the Commissioners, and the two remaining gardens, which are said to be worth from £1 to £1 10s. a week each, are let to two of the Town Commissioners, one at 5s. 5d., and the other at 11s. a week.

Ev. 80-106.
Ev. 97.
Ev. 90, 127-142.
Ev. 146-162.

It appears that in January, 1872, the cottage and garden were let to this Frank Smith at 1d. a week, he having been engaged six months previously at 10s. a week, which wages were on two subsequent occasions raised to 15s. a week, at which they now stand.

Ev. 126, 141.

He has never, however, paid any rent for the cottage and garden, which it was admitted would readily let for £7 a year, and which clearly were not, as the Town Clerk at first supposed, given him in part payment of wages at the time he was first employed.

Ev. 142.
Ev. 133, 146.

There is also a small car house erected on part of the same premises, which a townsman named William Govern was allowed to put up and to hold rent free, for which no authority could be found on the Commissioners' books.

Ev. 109-100.

The piece of grass land, on a portion of which the dung yard stands, was let last year to a Mr. Connor for £20, and realized about the same amount in each of the two preceding years. Upon these three occasions it has been let by competition, but prior to that Mr. Farrell Tully, one of the two Commissioners to whom the Maudlin-street gardens were let, had the after-grass of this portion for four or five years, at the rate of about £3 a year, from his brother Commissioners, which Mr. Freeman, now a Commissioner (and himself an auctioneer by profession), considered to be worth about £4 10s.

Ev. 106-109.
Ev. 131, 132.
Ev. 100, 116.
Ev. 111-114.
Ev. 118.

This Mr. Freeman and Mr. Geo. Mullan, another Commissioner, to whose recent introduction into the body Mr. Freeman attributed considerable improvement in their financial management, both gave evidence as to the debts incurred by the Commissioners.

Mr. Freeman.
Ev. 426-472.
Ev. 428-429.

Until within the last three or four years there was not even a Finance Committee, and in their late clerk's time their monetary affairs were in great confusion. Bills were not paid as they became due, and when in want of cash for current expenses, they seem to have been in the habit of giving promissory notes to the bank, and from time to time renewing them. A better system it is to be hoped is now inaugurated. One promissory note for £400 was paid off in 1875, which, however, left £1,000 still due to the bank on notes of hand given by the Commissioners, which was subsequently reduced by £300 more. The Commissioners have since borrowed from the bank £1,200, at 4 per cent., to enable them to clear off all the outstanding debts, with the cognizance of the Local Government Auditor, upon the understanding set forth in his letter to the Town Clerk, of the 11th of January last (see Appendix 4, page 353).

Ev. 473, 474.
Ev. 418.
Ev. 426-429.
Mr. G. Mullan.
Ev. 421.
Ev. 422.
Ev. 423.
Ev. 424.

Mr. Mullan was under the impression that the Local Government Board had given their consent to this course; but this, as we anticipated, was found to be a mistake.

When it is considered that the Town Commissioners at present pay their herd or caretaker of the corporate lands £70 a year, the overseer of the same lands £26, and the steward £39, and that six other men are employed really for very little else but fencing and other work upon these lands, it is tolerably clear that there is room for further economy in this direction.

Mr. Mullan.
Ev. 527-539.
Ev. 535, 536, 537.
Mr. Mullan.
Ev. 523.
Mr. Mullan.
Ev. 525-526.

The Board of Guardians is the sanitary authority of Kells, the population not being much in excess of 3,000.

NAAS, which adopted the Towns Improvement Act immediately after its passing in 1854, has a population of only between three and four thousand, and we should scarcely, therefore, have thought it necessary to visit and report upon it but for the remarkable illustration which is here afforded of the facility with which so many of the old Irish Corporations were induced to divest themselves of the property held by them in trust at the instance of some neighbouring noble, or influential landowner.

NAAS
Mr. W. S. Gray.
Ev. 4.

The report of Mr. Baldwin, the Commissioner who visited Naas in 1833, which will be found at pages 219 and 220 of the Report of the Municipal Corporations Commissioners of 1835, is most instructive as to the mode in which corporate property was then dealt with; and although his visit appears to have been just in time to prevent the

Dr. Hays.
Ev. 195-206.

NAAS.

Ev. 205-211,
215.
Ev. 109, 245-
255.
Mr. E. Midgley,
Ev. 262-277.

execution of a conveyance, then already prepared, of the last remnant of the corporate estates to the then Lord Mayo (to whose predecessor a previous fee-farm grant had been made of a larger portion), it did not prevent the alienation of this property in 1835, at the request of the said Lord Mayo, to trustees nominated by him for boarding out and educating destitute orphans of Protestant parents, upon the terms mentioned in the deed of the 19th of November, 1835, from which we have extracted the following:—

"On the 19th November, 1835, the then Corporation of Naas, at the request of John, then Earl of Mayo, conveyed to the Rev. Walter Bungle (Vicar of Naas), the Rev. Arthur John Preston, Hercules Robinson, Captain, &c., Richard Bourke, Esq., and Posenby Moore, esq. (trustees nominated and appointed by the said Earl of Mayo), and their heirs for ever, all the lands, tenements, or hereditaments granted by King James the First in 1660, to the sovereign, portreeves, burgesses, and commonalty of Naas, except only so much thereof as had been previously conveyed in fee-farm in the year 1785 to John, then Viscount Naas (the grandfather of the said Earl of Mayo, party to this deed of 1835), reserving to the Corporation the yearly rent of £12, upon trust, to apply the rents and profits of the said lands and premises in providing 'suitable diet, lodging, clothing, and Scriptural education in Protestant principles' for destitute orphans of Protestant parents, and to apprentice them to Protestant masters and mistresses of approved religious principles and conduct, the children of such parents as have been resident in Naas or its neighbourhood to be always preferred to the children of parents unconnected with the said Town of Naas."

This deed was sealed with the Corporation seal and was executed by the Hon. and Rev. G. F. Bourke (as sovereign); John Cannon and John Bourke (as portreeves); Hon. and Rev. Joseph Bourke, Dean of Ossory, Robert Bourke, and Sackville Gardiner Bourke (as burgesses); and John W. Bourke, John Rutherford, and Robert Uniaske (freemen). Also by the said Earl of Mayo and the said trustees named in the deed; and on the 27th January, 1836, the execution of the deed was duly registered in the Registry of Deeds Office, Dublin.

The rental of these lands conveyed by the deed was at least £322 17s. 7½d., and probably much more, as the town and lands of Gingerstown, estimated at 60 acres, and 20 acres of the lands called "Magdalen's," were, we find, included in this Conveyance, and were not comprised in the fee-farm grant in 1785 to the former Lord Mayo, as it was supposed by Mr. Baldwin (the Commissioner who reported in 1835) they might have been.—(Vide page 218, Appendix, Part I., of Municipal Corporations Report, 1835.)

No part even of the £12 a year reserved rent comes to the hands of the Commissioners; and the only consideration shown for the inhabitants of Naas in the whole transaction was the reservation of a preference for "the children of parents resident in Naas or its neighbourhood," which has been practically of but little avail, as it appears that only one such child—and that one now dead—has, during at least the last two and a half years, shared in the benefit of this Trust.

Opinions may be, and are, very much divided as to the advantages arising from the "boarding out" of pauper or destitute children; but that corporate lands, producing a rental of at least £322 a year, should be thus appropriated to putting out to nurse and subsequently apprenticing some thirty-five children almost wholly unconnected with Naas, can only be considered a grievous wrong to the inhabitants and ratepayers of the town.

The sanitary condition of Naas, especially the drainage and water supply, require more attention than they appear to have received from the Board of Guardians, who are the sanitary authority.

DROGHEDA.

Mr. James
Kilmer, Ev. 2.

Ev. 6.

Ev. 7, 8.

Ev. 15, 21.

Ev. 15-18.

Addressed
Drogheda, Ev.

324-326.

Ev. 263.

Ev. 257, 265.

Ev. 262-267.

Ev. 573, and

349-349.

Mr. Keaggy,

423-425.

DROGHEDA.—The Corporation of Drogheda—one of the ten Municipal Corporations included in Schedule A of the 3 & 4 Vic., c. 105—adopted the Towns Improvement Act of 1854 in the following January, but the only rate ever laid under that Act having been contested at great expense, no attempt has been since made to levy another.

The Corporation consists of twenty-four members—eighteen Town Councillors and six Aldermen, elected from three wards, which remain the same as set out in the Act of 1840. Previous to the passing of that Act the municipal boundaries, which now embrace only about 450 acres, were coterminous with the Parliamentary boundaries, comprising 5,758 acres. The Grand Jury of the county of the town of Drogheda have only jurisdiction within the present municipal limits, but the restriction of those limits under the Act of 1840 is felt as a very great grievance, and was about two years ago the subject of an application to the Local Government Board.

The terms of that application appear, however, to have been held by the Board "not sufficiently specific to enable them to act upon it."

The revenue of the Corporation is derived almost exclusively from real property. Their landed estates in the counties of Louth and Meath, and their house property in

the county of the town of Drogheda, yield a rental of £2,316 from 348 holdings. About £2,000 a year of this arises from property in county Louth, between £700 and £800 a year from county Meath, and the remainder from the town property.

The dues from the public cranes, last let at £150 for the year, and the petty sessional fines, received for the first time last year through the intervention of Mr. Collet, the Auditor, form the only other permanent sources of income. Mr. Collet has also had to draw attention to the large arrears of rent which have been suffered to run on; and although these were reduced in less than a year from over £1,300 for the half-year to a little over £800 at the beginning of last year, they had again accumulated to £953 5s. 2d. at the close of the year.

Large as are the estates held by the present Corporation, they are considerably less than those held by their predecessors, corporate property to the value of about £600 a year having been sold in the Incumbered Estates Court in 1856, with the proceeds of which about £16,000 of old debts were said to have been paid off. One holding, which got into the possession of a certain Alderman Carty, a member of the old Corporation, has been in dispute for nearly forty years. An ejectment having been brought against this Alderman for the recovery of the premises, the High Sheriff, we were told, was challenged by him to take possession, and the Corporation being unable to identify the exact property, the Sheriff refused to execute the writ. The present occupier is Carty's representative, and the arrear of rent being still carried on in the rental from year to year, accounts for about £210 of the large arrears above alluded to.

A Mr. Holmes, who was town clerk under the old Corporation, had obtained several leases for long periods, between the passing of the first Act (of 1836) restraining the alienation of corporate property and 1840. These leases, with others, were recovered upon appeal to the House of Lords, but seem to have been generally re-let to the tenants in occupation; and although professional valuers were said to have been called in to value the lands before re-letting, they appear to have been re-let, at least in some instances, very much below their actual value.

The lease only appears to have been made since 1840 to a member of the Corporation, and that was of a house in the town of Drogheda to Alderman Campbell, who was the occupying tenant under one of these leases recovered from Holmes, and to whom the premises were re-granted, at an increased rent, for a term of thirty-one years, in 1857.

The property called "Alderman's Acres," from its having been subdivided among the members of the old Corporation in small lots of from one to two acres each, was also recovered by the new Corporation between 1856 and 1858, proceedings having been commenced for the recovery of these lots about 1854. These, and any farms which have fallen in since 1856, appear to have been all put up to public competition; but it would seem that a different rule has prevailed with respect to house property in the town, which is generally valued as it falls in by some two or three members of the Corporation, who fix what they believe to be a fair rent, at which it is offered to the occupying tenant. We were told that they usually look to the poor law valuation as a guide, and add a per-centage to that, and that in no instance was it believed there had been any letting since 1856 below Griffith's valuation.

In the course of the next ten years a considerable number of old leases will fall in and the borough treasurer (Mr. Moore), who is also collector of the Corporate rents, anticipates an increased rental therefrom of about £3,000 a year.

The entire charges on the Corporate property amount to £9,400, of which one bond for £5,000 is at 4½ per cent. interest, one for £1,200 at 4½ per cent. and the remainder at 5 per cent., with the exception of £100, known as "Mr. Bellew's Bequest," which was a bequest of that amount to the old Corporation on condition of their paying £6 annually to the poor of St. John's.

Head and ground rents payable by the Corporation amount to between £300 and £400 a year, and grants to schools, £63 a year, and "Dean Cox's fund" £20, (for the payment of apprentice fees for Protestant boys), with the last remaining pension of £10, make up an annual charge of £93 a year inherited from the old Corporation, to which may be added "Vicars Choral" £43 7s. 7d., which is an annual payment to the Vicar of St. Peter's, charged upon the property granted under the Charter of James I. The remaining annual expenditure does not appear to require special notice, save in one instance, which will be found in the abstract of accounts for the year ended 31st of August last (Appendix B, page 356), to which we have in this instance appended the auditor's report with a view of drawing attention to a very improper payment of £30 under the head of "salaries," which is there fully noticed by him as forming the subject of a disallowance.

The scavenging of the town is done by contract with fairly satisfactory results. Last year the contract was taken at £297.

See account

Mr. K. Allen,
Ex. 45.
Ex. 31-35,
and 129.
Ex. 168, 169,
Ex. 62-65,
Ex. 72-74,
Mr. J. Moore,
Ex. 265-412Mr. Keegan,
Ex. 443-444.Mr. Moore,
Ex. 174.

Ex. 171-175.

Ex. 174, 175.

Ex. 199-202.

Ex. 190, 197,
198, and
Ex. 200, 201.

Ex. 215-223.

Ex. 227-228.

Ex. 225, 226.

Ex. 223.

Ex. 210, and

Ex. 223, 224.

Mr. Wilson,

Ex. 625-629,

and Mr. Gartin,

Ex. 629-633.

Ex. 213-215.

Ex. 190.

Mr. K. Allen,

Ex. 43.

Mr. K. Allen,

Ex. 62-69.

Ex. 100, 101.

Mr. Moore,

Ex. 267-292.

Mr. J. G. P.

Green,

Ex. 453, 454.

Mr. Moore, Ex.

316-323.

PROGRAMME

Mr. George,
Fr. 457.
Ex. 471-481.
Dr. Kelly, Fr.
547.
Mr. Kellan,
Fr. 168-171.
Mr. George,
Fr. 479-485.
Mr. Harvey,
Fr. 488-500.
Ex. 504-512.
Dr. Kelly, Fr.
517-517.
Fr. 462.

Mr. George,
Fr. 518-524.
Dr. Kelly, Fr.
525-533, and
537-571.

ENRICKSKILL

Mr. Cleland,
Fr. 2.
Ex. 4.
Fr. 2.
Ex. 8, 9.

Ex. 12.

Fr. 225-228.

Ex. 228-246.

Ex. 17, 18.

Ex. 228.

Ex. 45, 52.

Ex. 143, 163.
Fr. 162.
Dr. 143, 185.
Ex. 184-184.
Fr. 184-185.

Ex. 128, 154.

Mr. W. Arthur,
Fr. 720-721.
Ex. 167-174.

Ex. 209, 220.

Ex. 244.
Mr. Jordan,
Fr. 409.
Mr. Arthur,
Ex. 220-224.
Mr. Cleland,
Ex. 161.
Mr. Jordan,
Ex. 602.
Ex. 600-603.

Ex. 22-22.

The sewerage is still in many respects defective, and was at one time so bad, that in 1873 an order was issued by the Local Government Board for the construction of certain sewers, the completion of which in two streets, was made compulsory within a limited time. These two have been constructed, but the others which were only recommended have not yet been proceeded with. The engineer estimates that an expenditure of from £1,800 to £2,000 would be required for which funds are wanting, and the Corporation have as yet hesitated to apply for a loan for the purpose.

The drinking water has been recently analysed and condemned by Dr. Cameron, who reports that out of ten public pumps three only are fit to be used for domestic purposes. Two, which he pronounces quite unfit for use, have been closed, but three others which he says "contain a dangerous quantity of mineral matter" are still open for public use. On the other hand, the water from the fountain given to the town by Mr. Whitworth, &c., which is supplied by the Waterworks Company, is pronounced by Dr. Cameron to be "in every respect an unusually good water."

In other respects, and not least in the matter of the regulation of slaughter-houses and lodging-houses, much more active attention is required to sanitary matters.

ENRICKSKILL, from the dissolution of its old Corporation in 1840, was governed by the 9th Geo. IV., cap. 82, until 1870, when the Enniskillen Improvement Act (33 & 34 Vic., cap. 143), was passed. By that Act the Commissioners, under the 9th Geo. IV., cap. 82, and their successors, were incorporated, the municipal limits were extended and made coterminous with the Parliamentary Borough, and the Grand Jury powers of the county of Fermanagh were transferred to the Commissioners, the borough remaining liable to contribute to the county at large charges. The Commissioners were empowered to levy each year a general town rate, not exceeding 2s. 6d. in the pound, to make and maintain waterworks for affording a public water supply, and to levy a yearly water rate not exceeding 1s. 6d. in the pound. They were further empowered to borrow £16,000 upon the security of their property and rates, of which they were to apply £8,000 for the waterworks and the balance for general town purposes, after paying the costs of obtaining the Act. Of this the Commissioners in 1871 borrowed £7,000 for waterworks, and £4,000 for town improvement purposes in 1873, and there is now outstanding £3,250 upon the first and £3,440 upon the second loan, which constitute their capital debt.

The corporate property consists principally of houses in the town and of the fee-simple lands of Kilmaloo, comprising 122a. 0r. 32p.

The annual rental from yearly tenants amounts to £526 9s. 11d., and from the crates and tenants to £123 8s. 6d. (See Appendix 7).

Since Mr. Cleland became Town Clerk, only some house property in the town of Enniskillen appears to have fallen out of lease. This was relet generally from year to year, and to those parties who sent in the highest tenders. None of these parties were Town Commissioners, but three building leases for seventy-five years each were also granted during that time, of which one was granted in 1870 to a Mr. Lemon, who held also a thirty-one years' lease of a plot of ground, at £3 a year, under date of 6th March, 1848. At that time Mr. Lemon was himself a Commissioner, and signed this thirty-one years' lease to himself as such, but he was not a Commissioner when he obtained the building lease of 1870. In July, 1873, he was again elected a Commissioner, and in November of that year he offered to surrender the remainder of his term in the thirty-one years' lease of 1848, in consideration of a fresh lease for seventy-five years being granted by the Commissioners to a Mr. Arthur (formerly a Town Commissioner), who told us that he had purchased for £170, from a Mr. Bleakley, his interest in this plot of garden ground, for which Bleakley had given £10 to Mr. Lemon, and upon which Bleakley had built six houses.

At the meeting on the 3rd November, 1873, when the resolution was passed that Mr. Arthur should get his building lease upon the surrender of Mr. Lemon's lease, on the terms then stated, Mr. Lemon himself was present as a Commissioner.

Mr. Arthur distinctly assured us that no money passed, either directly or indirectly, between him and Mr. Lemon, and no lease appears to have been yet granted to Mr. Arthur in pursuance of that resolution, but he has been since paying 30s. a year to the Commissioners on the faith of getting such a lease, the practical effect of carrying which out would be to grant a seventy-eight years' lease to Arthur in consideration of his building houses on the ground, upon which houses had in fact been built by another man several years before, and of which the ratepayers would have been entitled to get the benefit in 1879 if the original lease had been allowed to run out to its natural termination.

In 1849, before Mr. Cleland became Town Clerk, a surrender was made to the Com-

missioners of a lease granted to Dr. Hugh Collum, for sixty-one years, in 1839, when the statute restraining the alienation of corporate property was in force; and upon this surrender a fresh lease for seventy-five years of the same property, and of an additional strip of land, was granted to Mr. John Collum, who was at that time the law agent to the Commissioners, and who continued to be so until 1852, when he was succeeded by his brother, Archibald.

A good deal of property is now held by Captain Collum under leases obtained by his father, this John Collum, and several leases which were in the custody of that gentleman or his brother, Archibald, are not to be found.

Captain Collum also holds, at a ground rent of £7, some property in the pig market, on which certain stores have been built, for which no lease is forthcoming; and although the late Mr. John Collum failed to produce any lease when called upon to do so, the Commissioners continue to accept the rent from his son, who receives rents for these stores from his sub-tenants.

One of the leases produced to us, under which Captain Collum holds, is signed by Archibald Collum, as a witness on behalf of the Commissioners, and also indorsed by him as their agent.

In the year 1843 or 1849 there appears to have been a lawsuit between the Town Commissioners and Lord Enniskillen, when the former established their right to the Town Hall and some other portions of the corporate property. The question of the right to levy tolls, which is now exercised by Lord Enniskillen, was probably then raised by the Commissioners, though neither the Chairman, Mr. Jordan, nor the Town Clerk were very clear as to this, nor could we ascertain how this right first passed from the old Corporation to the Enniskillen family; but an old deed of 1838 was produced, in which the burgesses took the tolls from the Earl of Enniskillen for one year, and this appears to have been since relied on as admission of his title.

Lord Enniskillen's agent attended at his request in case we wished to ask him any questions. He has been agent to Lord Enniskillen for fourteen years, and as such receives on his behalf all market tolls, and those levied on the fair-green, which is held by Lord Enniskillen under a long lease from the Commissioners; but he could tell us nothing of the circumstances under which Lord Enniskillen obtained the right to levy these tolls, which, it would seem clear from the Report of the Commissioners on Municipal Corporations (Ireland) in 1835, were at the time of their inquiry vested in the Corporation of Enniskillen.

Between 1836 and 1840, while the Acts restraining the alienation of corporate property in Ireland were in force, the then provosts and burgesses of Enniskillen seem to have leased away to themselves, their friends or relatives, large portions of the corporate property, of which nineteen leases have since been cancelled, surrendered, or lapsed, while twenty-one made in 1838, and four made in 1839, for three lives or sixty-one years each, are still running against the Commissioners.

In addition to these, there is still outstanding the seventy-five years' lease granted to John Collum in 1849, as already noticed, in lieu of the lease for sixty-one years to Hugh Collum in 1839, and eleven more leases indorsed 29th September, 1840, but purporting in the body of each lease to have been made on the same day of 1830.

These are all of property in the town, except two leases of lands in Kinaloo—one dated in 1840, and the other in 1849.

There are strong grounds for believing that several leases made to burgesses at nominal rents, were made between 1838 and 1840, but antedated to 1830, 1832, and 1833, so as to appear to have been made before the restraining statutes in force between 1836 and 1840. In some instances words are written on erasures; and one lease purporting to have been made in 1833 bears internal evidence that it was not executed prior to 1837.

The only lease actually made to a Commissioner since the town was governed by Commissioners appointed under the 9 Geo. IV., c. 82, seems to have been the one already noticed, which was granted to Mr. Lemon in 1848; and in 1858 a resolution was passed to the effect that—

"No member of the Town Commissioners will take or seek for any lease of the property of the borough of Enniskillen in the possession of the Town Commissioners, either lease or otherwise."

This resolution is still in force, a notice of motion to rescind it in 1859 not having been pressed to a vote.

On the 6th December, 1858, it was further unanimously resolved that—

"From this day forward no existing leases of Corporation property now in the hands of Town Commissioners be cancelled, nor any new leases granted, except when the old have expired."

Mr. Lemon was desirous of explaining that, although the lease of 1848 was made

HARRISON.

Ev. 108, 110

Ev. 65-78, 160-203-204.
Ev. 101-108,
Ev. 110 and
614.

Ev. 67-67.

Ev. 303.

Ev. 345-347.

Mr. Jordan,
Ev. 346.Mr. Clarend,
Ev. 366-370
Mr. Jordan,
Ev. 369.Mr. E. Smyth,
Ev. 465,
Ev. 461-466Ev. 465-479.
Mr. Clarend,
Ev. 364, and
Bureau of
Municipal
Corporations
Council
meeting on
18th.
Mr. Clarend,
Ev. 36, 37,
Mr. Jordan,
Ev. 353, 359,
Ev. 359, 360.

Ev. 62, 65.

Ev. 533

Ev. 551.
Mr. Clarend,
Ev. 30, 32,
Ev. 561-569.Ev. 551, 565,
569.

Ev. 596, 598.

Ev. 591.

Ev. 578, 580.

Ev. 593.

PROVIDENCE. direct to him while he was a Town Commissioner, it was in pursuance of a promise to a man named Copeland, whose interest or claim upon the Commissioners, arising out of such promise, he purchased from Copeland for about £35 at a public auction, when he was leaving for Australia. There was, however, no agreement ever entered into by the Commissioners to grant such a lease to Copeland, and it was, on Mr. Lemon's own showing, simply "a promise of a lease" which he purchased.

Mr. W. Croft, Esq. 657-670. A building lease granted in 1858 for seventy-five years, to a Mr. Ball, the father-in-law of a Mr. George Mahood, then a Town Commissioner, was also inquired into by us, but although Mr. Mahood subsequently became the beneficial owner of the lease, and bid out £600 upon the property, it did not appear that any undue favour in the transaction was shown to Mr. Ball in consequence of this relationship.

Mr. W. Croft, Esq. 671-680. There is no public cemetery, and, owing to the position of the churchyard, which is at present the only burial-ground, this is much needed. A site has been offered for one at a low price by Lord Enniskillen, but it was objected to as having been previously used for the interment of paupers, and the matter seems to have been shelved for the present. In other respects the Town Commissioners appear to have evinced an earnest desire to carry out effectively the provisions of the Sanitary Acts, and they are very desirous to retain their present position as the urban sanitary authority, in which they fear they may be superseded by the Board of Guardians, their population being under 6,000.

LONDONDERRY.—The city of Londonderry is governed by a Corporation of considerable antiquity, which was amended and preserved by the 3 & 4 Vic., c. 108, and is included in schedule A of that statute.

The Town Council is composed of six aldermen and eighteen town councillors, and the mayor, who is elected from the general body, receives a salary of £200.

The city is divided into three wards, the names, area, valuation, and number of burgesses in each of which, are as follows:—

Wards.	Area.			Valuation.			No. of Burgesses.
	A.	R.	P.	£.	s.	d.	
North Ward.	469	3	9	37,548	0	0	367
East Ward.	811	0	0	25,140	0	0	298
South Ward.	751	3	18	10,343	19	0	137
	3,032	2	22	69,031	19	0	497

Each ward returns two aldermen and six town councillors.

The population in 1861 was 20,875, and in 1871, 25,242. It will be seen that in the interval, by an Act of Parliament hereafter referred to, the municipal limits were extended.

Ex. 2. Three Acts for the improvement of Londonderry have been passed.

LONDONDERRY IMPROVEMENT ACT, 1848. The Londonderry Improvement Act, 1848 (11 & 12 Vic., c. 141), transferred to the Corporation powers over the streets, &c., of the city, theretofore vested in certain Pipe-water and Police Commissioners. By it the Corporation were empowered to levy a general improvement rate of 3s. in the £ until they took the streets and roads of the borough into their control and management, from which time they were empowered to levy, and have always levied, a 4s. improvement rate.

Ex. 3, 4. They were authorized to borrow sums not exceeding £40,000, to be applied in the discharge of any liabilities of the above-named Commissioners, and in carrying out the objects of the Act, among which were the constructing of waterworks and the purchase of lands for the public markets and fairs and for a cemetery. The entire sum of £40,000 was borrowed under this Act, and waterworks, public markets, and a cemetery were provided.

LONDONDERRY IMPROVEMENT ACT, 1855. By their next Act, the Londonderry Improvement Act, 1855, 18 & 19 Vic., c. 54, the Corporation were empowered to borrow, and did borrow, a further sum of £1,000 upon the security of the improvement rate; and by their third Improvement Act, 1864, the municipal limits of the city were extended, and the wards into which the borough had been divided by the Act of 1840, were in like manner extended, but not otherwise remodelled.

Ex. 23. The Corporation were made liable for the streets and roads within such extended boundaries, and were exempted from payment of Grand Jury cess in respect thereof, except for general county purposes. The Act also conferred on the Corporation a special limited power of compulsory purchase in relation to lands, &c., the property of the Irish Society, and gave certain general powers for the improvement of the town, and additional borrowing powers to the extent of £20,000.

Ex. 24, 25-28. The Corporation have not any property except the public markets and town hall; some small anchorage dues, levied from time immemorial upon sailing vessels coming

Mr. Stewart, Esq. 67-62.

into the harbour on the River Foyle; and an annual sum of £1,283 10s. 8d., which they receive from the Honourable the Irish Society of London.

The market tolls and the slaughter-house are let every year to the highest bidder, and produce a gross annual income of from £2,400 to £2,500 per annum, from which must be deducted rent, taxes, salaries, and other expenses, averaging fully one-half of the gross receipts.

The Corporation, although they levy and receive through their own collector the anchorage fees above referred to, do not exercise any control over the port and harbour, nor are they necessarily represented on the Harbour Board, who are a distinct body of Commissioners, elected by 230 householders.

Of the £1,283 10s. 8d. which the Corporation receive annually from the Honourable the Irish Society of London, £891 15s. 4d. is paid in one half year, and £391 15s. 4d. in the other. The sum of £90 10s., late Irish currency, equal to £83 10s. 8d. sterling (part of the £1,283 10s. 8d.) has been paid to the Corporation since the year 1635 as a condition of the grant made by the Crown in that year to the Bishop of Derry, under the circumstances detailed in the evidence of Mr. Thomas Chambers. The remaining £1,200 is paid under an arrangement between the Honourable the Irish Society and the Corporation, which is embodied in a resolution of the Court of the Irish Society, dated the 31st day of January, 1848. By this the Court of the Irish Society agree—

“Upon the re-establishment of the Recorder’s Court at Londonderry, to grant and to recommend the Society from time to time annually to grant from its funds the sum of £700 towards the payment of salaries, towards the officers of the Corporation and the Recorder’s Court, namely, £200 to the Mayor and £200 to the Recorder and officers of his Court, and the remaining £200 to be apportioned from time to time, subject to the approval of the Court.”

It was also resolved—

“That the Court of the Irish Society would consent to the Londonderry Improvement Bill being passed, provided the rights of the Society be properly preserved and protected, and would assist the Corporation of Londonderry in the Bill receiving the Royal assent, in carrying out the objects of the Bill by a grant of £500, to be annually proposed by the Society in aid for effecting the improvements contemplated by the Bill.”

Since that time the Corporation of Londonderry have annually received from the Irish Society £1,283 10s. 8d.

The Corporation receives annually for interments, &c., in the public cemetery comparatively small sums of money, that have not as yet equalled the annual expenditure upon the cemetery.

The 4s. improvement rate is levied half-yearly by two assessments of 2s. each. The total amount of rates lodged to the credit of the Corporation for the financial year ending 31st August, 1876, was, after deducting the collector’s poundage of 7d. in the £1, £10,850 13s. 3d.

The rate is well and closely collected, and the amount of irrecoverable arrears very small.

The present Corporation became, and are still liable to a debt of £1,000, contracted by the former Corporation, the interest upon which has been regularly paid. Under their borrowing powers the Corporation have raised from time to time the full authorised amount of £70,000, of which there now remains due £42,531, bearing interest at 5 per cent., except £11,250, which was borrowed from private individuals at 4 per cent. on Corporation bonds in 1876, for the purpose of paying off a like amount of the existing debt, bearing interest at 5 per cent.

The Corporation last year obtained the sanction of the Local Government Board by a provisional order of the 4th April, 1876, confirmed by the 39 and 40 Vic., cap. 155, to their borrowing an additional sum of £15,000, to be expended in the extension of the main sewerage and the purchase of additional ground for, and improvement of the waterworks, for which latter object the Corporation had incurred a debt at the bank of £3,000, which it is intended to pay out of the loan thus authorized.

The city is watched by the Royal Irish Constabulary, who also discharge the duties of a night watch, at an expense to the city of about £1,700 a year.

The Commissioners are not the owners of the gasworks, but there is at present under their consideration a proposal for the purchase by them of the works of the Londonderry Gas Company, with whom the Corporation have now a contract for the lighting of the public lamps at £4 a lamp per annum.

The duties of the Corporation as urban sanitary authority appear to be fairly attended to, and for further details we beg to refer to the evidence and reports of Dr. Browne, the consulting sanitary officer, and of Mr. Robinson, the executive sanitary officer, whose reports we print in the Appendix (No. 8 p. 359).

Some complaints were made by a Mr. Michael Lane, a solicitor—who had built houses in a suburb called Rosemount, before that place was brought within the extended

Londonderry.
Mr. Chambers,
Ex. 225-230
Mr. Bedford,
Ex. 43-47
Ex. 216-217,
222.

Mr. Stewart,
Ex. 41-63.

Mr. Stafford,
Ex. 23.

Mr. Chambers,
Ex. 225, 226.

Ex. 227.

Mr. Chambers,
Ex. 223.

By W. Miles,
Ex. 51.
Mr. Bedford,
Ex. 73.

Ex. 4.
Mr. Walker,
Ex. 203, 221-2.

Ex. 215, 222.

General Dwyer,
Mr. Bedford,
Ex. 225-5.

Ex. 7-25, 30.
Ex. 73, 100-102.

By W. Miles,
Ex. 225-104.

Mr. Bedford,
Ex. 116.

Ex. 162-163.

ROSEMOUNT.
Mr. Robinson,
p. 455-472.

Mr. H. R.
Lane,
Ex. 221-223,
222.

LONDONDERRY. municipal limits under the Improvement Act of 1864—that the Corporation had not made a certain road, and widened the thoroughfares in that locality. Mr. Lane objected also to the proceedings of the Corporation, both past and present, in relation to the drainage of the district.

There appears to have been a dispute of long standing between Mr. Lane and the Corporation about this, and it has been more than once the subject of reference to the Local Government Board. A copy of the correspondence between Mr. Lane and the Local Government Board and the Corporation was, at our request, handed to us by Mr. Lane, but we do not, upon perusal, consider it of sufficient public importance to justify us in printing it in the Appendix. The Corporation propose to complete the sewerage of Rosemount under the powers conferred on them by the provisional order of 1876.

Owing to the illness of Mr. Gregg, the town clerk, notice of our intention to sit in Londonderry on the 26th March was not published in Londonderry by posting the usual notices, nor by advertisement in any local newspaper, until the previous Saturday, although notice of our intention to hold the inquiry on the 26th had been sent to the town clerk on the 17th day of March. In consequence of this Mr. Lane, on his own behalf, and Mr. Doherty, another solicitor, on behalf of certain ratepayers, requested a prolonged adjournment of our inquiry, as Mr. Lane said he could not be ready to tender certain evidence before the following Thursday (the 29th March) at the earliest, and Mr. Doherty was not prepared to say when he could be ready, nor what was the nature of the evidence he might be instructed to bring forward.

We informed Mr. Lane and Mr. Doherty that upon receiving from either of them within any reasonable time any statements of important or material matters demanding further inquiry, we would fix some future day or days for holding an adjourned inquiry at Londonderry.

Mr. Doherty subsequently wrote to us to the effect that he did not feel justified in asking us to re-open the inquiry, and not having received any communication from Mr. Lane or any other person, we have not considered it necessary to return to Londonderry.

COLTRAINS, now governed by eighteen Commissioners under the Towns Improvement Act of 1854, which was adopted in 1861, had been previously under the 9 Geo. IV., cap. 82, from the passing of that Act in 1828. At the time of the passing of the Municipal Corporations Act in 1840, the Corporate property which then became vested in the new Commissioners under the 9 Geo. IV., consisted of lands producing a gross annual rental of £632 8s. 10d., and markets, the tolls of which produced a net revenue of about £300 a year, subject to a mortgage debt of £8,893 13s. 4d., bearing interest at four per cent., which is still outstanding; and in 1844 the same property was charged with a further mortgage of £3,400, chiefly at the same rate of interest, for the erection of gas-works.

In 1863 the Town Commissioners, under the Act of 1854, obtained an Act for the purchase from the Portrush Harbour Commissioners of all their rights and privileges in and over the River Bann within the limits of the Act, and for making certain improvements in the river, with borrowing powers to the extent of £50,000, of which £10,000 was chargeable upon their landed estates, and was borrowed on that security. Of this, £1,534 has been since paid off by a sinking fund; but a further sum of £8,735 has been raised on the security of the river dues, and of a 6d. rate levied under the River Bann Navigation Act.

The Commissioners paid £3,000 for the purchase of this, and, acting under the advice of Sir John Coode, C.B., have already expended about £14,000 on dredging and improving the channel of the river; and, having obtained a grant of £1,000 a year for twenty-five years from the Hon. the Irish Society of the City of London to complete the works by the erection of piers at the entrance to the river, they are now endeavouring to negotiate a Government loan for £60,000, on the joint security of this grant from the Irish Society and the River Bann fund.

This fund they hope to be able to increase by obtaining an enlargement in the area of taxation and increased rating powers, and a memorial is at present under the consideration of the Local Government Board praying for an extension of the municipal boundaries, which would increase the present municipal area from 205 to about 1,000 acres.

If the Commissioners succeed in obtaining this loan of £60,000, they propose to complete the piers and to make permanent quay accommodation at the entrance to the river, when they anticipate a revenue from the River Bann of from £3,000 to £3,000 a year.

The dues hitherto levied on shipping entering the River Bann afford us no means of judging how far the above estimate is a reliable one, as until better accommodation can be afforded to vessels discharging their cargoes the Commissioners do not even levy

the full dues they are entitled to, fearing to make the charge prohibitory. The annual amount of dues levied for the year ending December 31st, 1875, was £244 7s.

Separate accounts are kept of the River Bann Fund and of the Gas Works. (See for these accounts Appendix 9, p. 361.)

The landed property vested in the Commissioners is all within two or three miles of Coleraine, and, according to the recently published list of landed proprietors in Ireland, consists of 673a. 2n. 15r., the Poor Law Valuation of which is £687 15s., but the rental furnished to us by the Commissioners only shows an acreage of 647a. 0n. 24r., producing a rental of £787 14s. 1d. (Appendix No. 9, p. 361.)

The only outstanding leases antecedent to the Act of 1840, are—one of 45½ acres (supposed to be Irish plantation measure), of which the counterpart lease is not forthcoming, and two smaller holdings in the town. All the other leases by the old Corporation fell in about 1871, and have—with one exception, which is let on a yearly tenancy—been re-let on leases of thirty-one years from the 9th September. The basis on which these lands, comprising 601a. 3n. 13r., have been re-let, has been to add one-eighth to the Government valuation, together with half the county cess, and to charge the total as the rent.

They are believed to be let at a fair rent; but, as tenant-right is recognised here, the outgoing tenant, if not desirous of having his lease renewed, has been allowed to sell his interest in it, and thus the Commissioners considered themselves prohibited from putting up their lands to public competition. In no instance have the lands been let to Town Commissioners or their relations. The rent of these 602 acres, let between 1871 and 1874, is now £712 16s. 11d. (See Appendix 9, 361.)

The Commissioners inherit from the old Corporation markets, in which they levy tolls, and these are at present in course of extension, at a cost of £1,300, upon a free site granted by the Irish Society. The markets and tolls are let by auction, and are now let at a gross rent of £500 a year for three years. The head rent of £23 16s. 2d. on the original markets, and the rates and other outgoings, last year, amounted to £174 15s. The Commissioners have rebuilt their Town Hall, which they also inherit from the old Corporation, and for this they are likewise largely indebted to the Irish Society, who contributed £2,500 to the rebuilding, and are believed to have been previously contributors to the old Town Hall. The income derived from this building last year was £53 15s., and the outgoings £131 17s.

A new cemetery has been provided for the borough, under "the Coleraine Burial Ground Order, 1875," towards which the Irish Society have given £1,000.

The same society have also made a grant of £500 a year, for five years, towards the construction of waterworks, for which a provisional order has been obtained, confirmed by Act of Parliament. An application for a loan of £7,500, previous to taking contracts for these works, has been submitted to the Board of Works for approval.

The Commissioners have, for several years, levied their maximum improvement rate of 1s. in the pound, and this and the 6d. rate under the River Bann Navigation Act are the only rates levied by them.

The average of the county cess levied on the town is about £1,400 a year, and as the annual expenditure within the borough would seem to be under £500 a year, this naturally gives rise to a good deal of unpleasant feeling between the Town Commissioners and the County Grand Jury.

The scavenging is paid for by the Town Commissioners, and let to a contractor for £70 for the year, and his work appears to be fairly done; but sanitary work has hitherto made little progress in Coleraine, although the Commissioners appear desirous of doing their duty.

The evidence of Dr. McIntyre and of Dr. Carson, the consulting sanitary officer, fully bear out the opinion expressed by the chairman as to the general sanitary condition of the town; and the difficulties the sanitary authorities may have had to contend with are well illustrated by the action of the inhabitants in the immediate vicinity of a well, which, after it had been condemned and closed by order of the Commissioners, was immediately re-opened by these people, who continued to use it although necessarily cognizant of the filthy matter by which it was polluted, and of the fact that the Commissioners had opened a new well to supply the neighbourhood, at the distance of only a few paces.

Dr. McIntyre's evidence further illustrates the almost entire absence of all direct communication between the sanitary officer and the sanitary authority, which is of such frequent occurrence, and to which attention has been already drawn more than once in the course of these Reports.

COMPARISON.

By 355, 348,
370
By 351,
By 324-326,
By 298-322,
LAWRENCE.

By 112-126,
By 95.

By 58, 138-
125.

By 99-110.

By 101-128.

By 104-116,
132-140.

By 125, 136.

MARKETS.

By 73, 74.

By 51, 70, 202.

By 52-55.

By 166, 187.

Cemetery.

By 324-326.

By 51, 62.

WATERWORKS.

By 51.

By 68, 69.

By 71.

RATES.

By 151-164,
65.

COUNTY CESS.

By 141-143.

By 144, 145.

SANITARY MATTERS.

By 146, 274-
268, and
By Carson,
By 567, 568.

By Carson,
By 569, 570,
569-571.

By McIntyre,
By 420-430.

By Carson,
By 561-567.

By 568-577.

By 572-584.

By McIntyre,
By 454-456.

By 593-595.

FETHARD. FETHARD is managed under the 9th Geo. IV., c. 82, by thirteen Commissioners, and the income, which is about £180 a year, is derived from landed and house property belonging to the Commissioners, and the amount received from the letting of the tolls and markets, fines from drunkenness, and the dog tax. No rate has ever been struck. The landed property consists of about 233a. 3a. 8r. statute measure of lands called the Commons, and is worth about £1 an acre all round. 131a. 1a. 7r., equal to 86a. 1a. 2r. Irish, of this appears to have been let in the year 1747 to a Mr. Thomas Hackett for 999 years, at a rent of £12 6s. 5d. a year, and Griffith's valuation of the lot is £55 16s. This letting is entered in the Corporation books under the date of the 28th September, 1747, but there is no record in the books of the execution of any lease, nor is the counterpart, or any copy of it, to be found amongst the Corporation papers. The representatives of Hackett are now getting from 35s. to 40s. the Irish acre for these lands. The residue of the Commons is let to about sixteen tenants in various lots, of which eight are on leases made since the year 1845, and some of them to Town Commissioners, at rents under Griffith's valuation. It was stated that the forty-two Irish acres, which were mentioned at page 504 in the Report of the Municipal Inquiry Commissioners of 1835, were now included in or comprised the 53a. 0a. 29r., which are the balance of the Commons lands, exclusive of Hackett's holding of 86a. 1a. 2r., Irish. The Commissioners also own town fields which contain 9a. 1r. 3p., Irish, and are let in small lots at rents amounting in the whole to £14 8s. 8d. a year. Some of this lot is let on lease, and two Irish acres were let by lease on the 9th January, 1857, to Mr. Sayers, a Town Commissioner, for thirty-one years at a rent of £1 a year. He parted with his interest in it to a Mr. Barton, and it and other parts of this lot appear to be let at an under value. The Commissioners are also possessed of small tenements in the town, the rents of which amount to about £9 8s. 10d. a year, but from the poverty of the tenants it is difficult to collect the rents. The residue of the house property consists of five houses which are let on leases, the longest of which is for thirty-one years, at the fair annual value. There is also one house which is held by a person named Ellen Smith at a rent of £5 a year, and which is valued at £12. She claims to hold it under a lease which she alleges was made by the Commissioners to her late father at this rent. No trace of any such lease is to be found amongst the Commissioners' papers, and the tenant will not show the lease or state its terms or contents. The tolls of the fairs and markets are sold annually and realize about £26 a year. The Commissioners claim to be entitled to be toll-free for all their own property, which would otherwise be liable to toll, under a resolution passed by themselves to that effect on the 8th November, 1875. This action on their part must affect the price which would be annually given for the tolls, to the prejudice of the people of the town, and the benefit of the Commissioners. The fairs were for over twenty years held in a fair-green, the property of the Commissioners, but on the 6th August, 1873, a resolution was passed by the casting vote of the chairman of the Commissioners, for holding the fairs for the future on the public streets, which has since been done. The sanitary condition of the town is in many respects defective. There is no hospital accommodation nearer than Cashel, which is eight miles away. Last year there was a serious epidemic of typhoid fever in the town, caused by its bad sanitary condition; and complaint was made that the Commissioners, not being the sanitary authority, were unable to take any effectual measures to try to put a stop to the disease. The water supply is ample and good. The Chairman of the Commissioners stated he had heard of some property formerly belonging to the Commissioners, which had been held by a man named Bacon, which had lapsed or been lost; but we could not obtain any further particulars or information about it.

TEAM. TEAM which had been under the Act of the 9 Geo. IV., c. 82, adopted in 1854 the Towns Improvement Act, for all purposes except water supply. There were originally fifteen Commissioners, but for the last few years the number has not been full in consequence of death and other vacancies, which have not been filled up. The acreage within the municipal area is 606a. 1a. 4p., and there are ninety-three occupiers rated between £4 and £12, and sixty-five above £12. The Commissioners have not any landed or house property, and their income is derived from tolls, the dog tax, and fines for drunkenness, the latter being very small indeed. The Commissioners are not an urban sanitary authority, the population being under 6,000. The tolls are let by public competition on the 29th September each year, and have produced the following amounts for the last five years:—1872, £530; 1873, £500; 1874, £650; 1875, £760; and 1876, £625. The falling off last year is to be attributed to the fact that the man who held them for the year 1875, was believed to have bid for the tolls beyond their real value. The tolls were reduced about eighteen years ago, and since that the receipts have increased considerably. There was a mortgage due by the Commissioners, contracted

about thirteen years since, for the building of the town hall, and flagging the streets, but the balance remaining due on that mortgage to the amount of £679 7s. was lately paid off, out of the surplus funds in the hands of the Commissioners, and there is not now any debt due by them; a claim, however, has been made against them for £400, for costs in relation to a Chancery suit, which was lately pending about a new fair-green. No rates have been struck for a long time, and the Chairman stated that a pledge had been given years since by a then newly elected body of Commissioners, that no rate should be levied. The sanitary condition of the town is in some respects far from good. A sewer at Frazer's-lane, going up to the Roman Catholic Cathedral, appears to be in a shocking condition, and one gentleman stated that there were not any stench-traps on the sewer, and that the spot ought to be avoided as a plague spot. The same gentleman detailed at some length, the means resorted to by a large number of the inhabitants to procure and accumulate in their dwellings, manure for their crops, or for purposes of sale. The Chairman called attention to the difficulty and delay in carrying out the provisions of the Sanitary Act with respect to the abatement of nuisances.

Complaints were also made as to the condition in which the streets remain after the fairs which are held on Saturdays. The excuse given was that the contractor had not time, from the lateness of the hour at which the fairs are over on Saturdays, to remove the filth that night, and that the police would not allow his men to work after nine o'clock on Sunday mornings. Great complaints were also made as to the water supply, which appears to be insufficient, and some of it polluted. There are two spring wells, called the Priest's well and the Abbey Trinity well, the former of which runs dry in summer, and "causes almost a famine for spring water." The principal supply is from the river Nanny, the state of which is fully set forth in the evidence of Mr. Henderson. No action has as yet been taken by the Guardians, who are the urban sanitary authority, to procure a sufficient supply of pure water, which is so much required. Indeed, it may be stated, that the Sanitary Act of 1874 is practically inoperative in Tuam. The Commissioners have a weighmaster in the market, on whose docket for the weight the toll farmer charges and is paid his tolls. Complaints have been made from time to time as to the negligence of this man and his assistants in the issuing of those dockets, and the correctness of the weights is doubted. This does not appear to arise from any dishonest motive, but rather from carelessness or from drink. A great obstruction is permitted to exist opposite the houses of places of business of some of the ratepayers by persons placing standings on the public streets. The police will not prosecute the parties, who claim the right to put up these standings, on the ground that the Town Commissioners are the parties who ought to take action, while they say that not having made any by-laws under the Towns Improvement Act they cannot interfere. Meantime, the obstruction goes on from week to week to the serious injury of those shopkeepers before whose doors it exists. Our attention was also called to the condition of a graveyard in the centre of the town, which is much overcrowded.

New Ross, a Parliamentary borough, was one of the Corporations which were abolished by the 3 and 4 Vic. cap. 108. It was afterwards under the 9 Geo. IV. c. 82, and early in 1855 it adopted the Towns Improvement Act of 1854 for all its purposes except a water supply.

There are fifteen Commissioners who all have the required qualification. There are 440s. 3s. 3d. within the municipal limits, and the population was, by the Census of 1871, 6,772. The greater part of New Ross is in the county of Wexford and a small portion called Rosbercon, is in the county of Kilkenny. The town is divided into two wards—New Ross and Rosbercon, which are separated by the River Barrow—the natural boundary between the counties. The valuation, number of voters in, and representatives of the wards are as follows:—

Wards.	Valuation.			Average		Voters.	Commissioners.
	£	s.	d.	A.	S.		
New Ross.	7,977	10	0	323	3 31	224	12
Rosbercon.	531	5	0	117	0 12	17	3
	£8,508	15	0	440	3 33	241	15

The Town Commissioners possess such of the property of the old Corporation as had not been alienated before the passing of the 3 and 4 Vic. c. 108, which consists of lands and rents in the county of Wexford, and houses and premises in the town of New Ross, all held in fee and not subject to any rent.

Portions of the property in New Ross occupied by weekly tenants yield at present £17 15s. 4d. a year. The rest of the property produces £343 13s. 3d. a year, making a gross rental of £360 8s. 7d.

NAME.
Mr. Connelley, Ev. 126
Mr. Gannon, Ev. 166
Mr. Henderson, Ev. 113 to 127
Mr. Gannon, Ev. 105 to 109, Ev. 110
Mr. Gannon, Ev. 164
Mr. Henderson, Ev. 124-127
Mr. Gannon, Ev. 170 to 181
Mr. Henderson, Ev. 117 to 120
Ev. 119-124
Ev. 126
Mr. Fealy, Ev. 124
Mr. Gannon, Ev. 125 to 129
Mr. Fealy, Ev. 121-2-3
Mr. Henderson, Ev. 127-5
Mr. Gannon, Ev. 148-9-170

NEW ROSS
Mr. Rhyland
Mr. Connelley
Chairman of Town Commissioners, Ev. 14

Ev. 12-13.

New Ross.

Mr. Tobin,
Ev. 412.

In many instances, as will be seen in the evidence of Mr. Tobin, the annual rents reserved in leases renewable for ever, granted by the old Corporation, bear a very small proportion to the extent of the land out of which they are reserved.

There were four leases of premises in the town made by the former Corporation in the interval between the 10th August, 1836, and the 1st September, 1840, whilst the restrictions against alienations imposed by the 6th and 7th Wm. IV. c. 100 were in force. One dated the 29th September, 1837, was made to John Boyd, merchant, of premises on the town wall for sixty-one years, at the nominal rent of 5s. a year.

There appear to have been but three original leases granted by the Commissioners since 1840, and these do not require any special notice.

Mr. McCormack
Ev. 43 to 46.

Where premises fall into possession, and are to be let, it is the practice of the Commissioners to advertise for tenders for them, which are all laid before a special meeting of the Town Commissioners summoned for the purpose of considering them, and they determine the matter according to the best of their judgment. There does not appear to have been any letting by the Commissioners to members of their body. The Commissioners have a town hall, and a yard for depositing manure, for which a small rent and taxes are paid.

Ev. 46.

Ev. 50 to 51.

They do not directly derive any tolls, dues, profits, or income from the shipping using the port and harbour of New Ross, but they do so indirectly; the port and harbour are under the control of the Harbour Commissioners appointed and acting under the 11 & 12 Vic. c. 139, and of which body the Chairman of the Town Commissioners is an *ex-officio* member. An arrangement was made in 1848 between the Town Commissioners and the Harbour Commissioners, which was carried out by a resolution of the 4th September, 1848, and is as follows:—

Ev. 52.

"That as the Port and Harbour Commissioners are bound to keep the quays in repair, and light and watch same, we relinquish our claims for quay and river tolls for the term of three years, the said Commissioners paying us and our successors 5s. per annum for said term in lieu of said tolls."

Ev. 62, 64, 65.

This arrangement appears to have been acted on until some time in 1871, when the Harbour Commissioners discontinued the lighting of the lamps on the inner side of the quay, as they considered they were bound to light those only required for shipping purposes, and in 1874 they discontinued the keeping of the night watch. The Commissioners are the owners of a weigh-bridge and fish-house, in the first of which general goods, and in the second fish are weighed. Fees are charged for this weighing, which the Commissioners let annually, and for which they are at present receiving 10s. a week from James Maher, the collector of rates and rents, who is paid 2½ per cent. commission on his collection, including the 10s. a week payable by him to the Commissioners.

Ev. 66-69.

Mr. McCormack
Ev. 67 to 69.

The Commissioners receive a fixed rent for water supplied by them to the houses of such of the inhabitants as choose to take it from reservoirs the property of the Commissioners.

It is not compulsory upon the inhabitants to take the water or pay a rate for it. The supply is limited and insufficient, pipes being laid in thirteen only of the streets of the town.

The receipts from this source last year, as appears from the abstract of the audited accounts (Appendix No. 12, page 362), amounted to £55 5s. 5d.

Mr. McCormack
Ev. 111, 112,
113.

The item of £80 11s. 9d. on the expenditure side of the account was not on account of this water supply.

Ev. 136-138.

The Commissioners do not receive any tolls or dues from fairs or markets, save as above mentioned.

Ev. 166.

They have levied an improvement rate every year except three since 1855, varying from 6d. to 1s. in the pound.

Ev. 416.

Ev. 331, 332,
102.

The average of all the rates struck from 1855 to 1876, both inclusive, is 7½d. in the pound. An 8d. rate has been struck for the year 1877, which amounts to £246 18s. 3d. (Appendix No. 12, page 363).

Ev. 112-120,
142-145.

The Commissioners receive small sums annually for the sale of manure, for fines for drunkenness, the dog-tax, and a few miscellaneous matters. They also receive at intervals, by presentments from the Grand Jurors of Wexford and Kilkenny, by whom respectively the streets and footways in the respective parts of the town are kept in repair, sums for repairs of streets. Last year they received £184 8s. 4d.

Ev. 147-149.
Ev. 326, 327.

The town is scavenged by men employed by the Commissioners, and it is lighted under a contract with the New Ross Gas Company at the price of 6s. 8d. per 1,000 feet.

The expenditure of their income by the Commissioners is for the ordinary town purposes, and does not require any special observation.

Ev. 121 to 125.

The Commissioners, who are the urban sanitary authority, have appointed the usual

municipal and sanitary staff, with the exception of a professional engineer as town surveyor.

The collector, Mr. James Maher, is also street inspector and local surveyor. The Commissioners recognise the want of a more efficient sanitary staff.

There are not any public markets as yet, but in order to get rid of the nuisance and obstruction caused by the holding of them in the streets, the Commissioners propose to borrow £1,500 or £2,000 for the purpose of their erection.

The entire capital debt of the Commissioners consists of £200 borrowed by their predecessors in 1854, at five per cent. interest, for the completion of the Town Hall. The interest has been paid upon this sum up to the present, and a sinking fund has for the last four years been provided at £10 a year to pay off the principal.

There are two churchyards still used for interment, and described as being overcrowded, within the municipal limits, and a public cemetery is required.

The town is fairly well, but not sufficiently, sewered. Only one main-sewer has been made since 1848, and the Commissioners have not been active in enforcing the making of connecting drains from houses, but they are, it was stated, about to do so.

The Commissioners, as the urban sanitary authority, have been fairly active in enforcing the sanitary laws to the extent of causing the cleansing of filthy places, and of putting a stop to the nuisance of keeping pigs and other animals in the houses and rooms occupied by human beings; a practice which has existed here to a remarkable extent. Although nearly all the houses occupied by the poorer classes are without any private accommodation whatever, the Commissioners do not appear to have taken any steps to make, or to compel to be made, the required accommodation. They have, however, erected a public privy and urinal upon the quay.

There was some complaint made of the Commissioners having improperly incurred costs which had to be paid out of the rates and property of the town. The circumstances connected with this will be found detailed in the evidence of Mr. Tohin, the town clerk.

COOKSTOWN adopted the Towns Improvement Act in 1855 for all purposes except water. There are, and have always been twelve Commissioners, and they have usually, if not always, struck the maximum rate of 1s. There are 279 rated occupiers, and the total valuation of the property liable to rate is £6,339 15s. The Commissioners have not any property, and their income is derived from rates, the dog tax, and fines for drunkenness, the latter of which, having regard to the population as compared with other places, amounts to a large sum annually. We visited this place in consequence of a pressing requisition sent to us by the chairman of the Commissioners requesting us on behalf of himself and others to do so. The causes of complaint which we were asked to investigate had relation to the sewerage and water supply of the town. With regard to the sewerage the facts are as follows:—At the time when the Sanitary Act of 1874 came into operation the Commissioners had under their consideration the execution of large sewerage works which were then calculated to cost a sum of less than £3,000. After that the works were carried out and completed by the guardians at a cost of certainly over £5,000, and may amount to nearly £6,000 when all the bills are paid. It is alleged by some parties that the carrying out of those important works were entrusted by the general body of the guardians to a committee of a small number of their body who were rate-payers and residents in the town, and much interested in the carrying out of the sewerage in a particular way for their own interests, and that they did so. The works were alleged to be defective in design and construction, and the workmanship bad, which was proved by the fact that in some places the sides of the sewers have fallen in within a few months of their completion, which will necessitate a large expenditure for their repair. Complaints were made to the Board of Guardians before the work was commenced, and also to the Local Government Board with a view to their interfering to prevent it, but they referred the complaints to the Board of Guardians who again referred it to the committee appointed by themselves to carry out the works. A loan of £4,000 has been contracted for these works, and a large sum is still wanted to pay for them. The town stands on parts of five townlands, viz.:—Gortallowry, Loy, Coolmafranky, Cookstown, and Monrush, and a large portion of these townlands is outside the municipal area.

The Guardians have struck a rate of 8d. in the pound on the portion of the town built on the first four of these townlands, and also on the residue of the same townlands which are outside the town, while the portion of the town built on Monrush and the residue of that townland are not charged with payment of any of this sewerage rate, although that portion of the town is largely benefited by the same works, and a portion of them have been made on and through it. Representations have been made as to unfairness

QUESTIONS.
Mr. Fleming
Ev. 74.
Ev. 75.

Ev. 81 to 85.
Mr. Guinness,
Ev. 203.
Dr. Graves,
Ev. 191-5.

Mr. Wals, Esq.
127 to 231,
1869 1-5.
Dr. Graves,
Ev. 191 to 203.

of this mode of charging the rates both to the Guardians and the Local Government Board, but without effect. The public water supply, which is procured from thirteen public pumps, is bad and insufficient, but several persons have pumps within their own premises. The water of ten of those pumps was condemned by Dr. Hodges last summer as being unfit for use, in consequence of the quantity of street and other sewage and filthy matter which drains into the wells supplying those pumps. Although the Guardians were apprised of the analyst's report shortly after it was made, steps were only being taken at the date of our visit to have the pumps and wells put in order. A serious difference of opinion also prevails amongst the ratepayers as to the sufficiency of the supply. On the one hand it is alleged that a supply by gravitation is absolutely necessary, and could be procured at a reasonably moderate cost, while others are of opinion that an ample supply of good water can be procured if the present pumps are properly attended to, and the supply increased by lowering the pumps. It is stated on the other hand that this cannot be done effectually for the following reasons. In many parts of the town the new sewers are made close to the pumps, and at a lower level. It is stated that the sewers are not staunch, and that the sewage matter flows out through them, and it follows that if the source of the supply for the pumps is lowered below the bottom of the sewers for the purpose of getting a better supply, the sewage matter escaping from those sewers must destroy the quality of the water. Dr. Graves, the sanitary officer of the Board of Guardians, has called their attention to this matter in two reports, which will be found set forth in full in his answers to questions Nos. 191, 192, and 205. The sanitary condition of parts of the town is bad. There are some houses which are wholly unfit for human habitation, and are yet densely occupied, many of which were formerly cow-houses and pig-houses. The Guardians have been aware of their condition for some time but have not taken any steps in relation thereto.

In consequence of unforeseen difficulties we are unable to include our Reports on Kingstown and Dalkey in this Report, but we will have the honour to submit same to your Grace within a few days.

We have the honour to be

Your Grace's obedient servants,

U. CORBETT. (Seal.)

E. B. LAWLESS. (Seal.)

WM. A. EXHAM. (Seal.)

FOUR COURTS, DUBLIN, 28th June, 1877.

H. A. ROBINSON,

Acting as Secretary.

SPECIAL GENERAL REPORTS

ON

NEWRY, DUBLIN, WEXFORD, SLIGO, GALWAY,
AND CASHEL.

NEWRY.

NEWRY, a parliamentary borough partly in the county of Armagh and partly in the county of Down, was, up to 1865, locally governed by Commissioners under the Act of 9 Geo. IV., cap. 82. In February, 1865, the 17 & 18 Vic., cap. 103, the Towns Improvement Act, was adopted.

The town, of which the population in 1871 was 14,078, and the extent 711A. 2R. 4P., is divided into three wards, and the municipal body consists of eighteen Commissioners.

The names, valuation, and representation of the wards for the year 1876, were as follows:—

Name of Ward.	Valuation.			No. of Voters.	No. of Commissioners.
	£	s.	d.		
West Ward, . . .	13,168	5	0	491	6
South Ward, . . .	9,111	18	0	375	6
North Ward, . . .	7,443	9	0	275	6
	29,643	2	0	1,051	18

The valuation for the borough, for the year 1877, is £30,102, showing an increase of about £439. The west ward comprises that portion of the town in the county of Armagh, and the north and south wards are in the county of Down.

The port and harbour of Newry are under the management of the Newry Navigation Company, an incorporated company, originally constituted under an Act of the Irish Parliament, the provisions of which have been subsequently added to and amended by Acts of the Imperial Parliament.

The Newry Navigation Company have also the control and management of the inland navigation, by canal, through and from Newry to Portadown, and receive all payments, fees, and emoluments of every kind, in respect of the port and harbour and inland navigation.

The Town Commissioners have not any representative in the Newry Navigation Company, and do not receive any income in respect of the port and harbour or inland navigation.

In connexion with the port and harbour of Newry, there are the "Harbour of Carlingford Lough Commissioners," appointed in 1864, by the 27 & 28 Vic., cap. 93, confirming, with some variation, a provisional order of the Board of Trade, made under the provisions of the General Pier and Harbour Act, 1861. The object of these Commissioners is to improve the navigation into Carlingford Lough. It is provided by the provisional order, that two of the Commissioners shall be appointed by the Newry Navigation Company and two by the Newry Town Commissioners, and the Newry Navigation Company and the Newry Town Commissioners, are, respectively, to fill up vacancies caused by death or resignations of their respective representatives.

It is not required by the provisional order that the Carlingford Lough Commissioners be appointed by the Newry Navigation Company, and the Newry Town Commissioners, respectively, are to be, or to continue to be members of either of these bodies.

The Town Commissioners in 1865 nominated two of their own body to be two of the Carlingford Lough Commissioners. One of these has since ceased to be a Town Commissioner, but, as is understood, insists upon his right to continue to be a Carlingford Lough Commissioner.

It is alleged by the Town Commissioners that they have not the representation to which they are entitled on the Board of Carlingford Lough Commissioners.

The Town Commissioners do not possess any property save the markets and water-works, recently acquired, as hereafter mentioned.

There was a public water supply in Newry afforded by a reservoir and works, which were the property of Mr. Hallowell.

In February, 1870, the Town Commissioners adopted a contract to purchase the works at the price fixed by arbitration, of £3,948, and went into possession of them.

Newry.

Mr. B. J.
Baker, Town
Clerk, Esq. 16,
14.

Ev. G-2.

Ev. 10, 11, 15.

Ev. 15-21.

Ev. 25, 26, 27.

Ev. 26, 28, 30.

Ev. 28-27.

Mr. Fegan,
Chairman.
Ev. 321-323.

Ev. 324.

Ev. 17-19.

Ev. 33.

Ev. 32, 40, 41.

- Newry.**
Ev. 45. The Town Commissioners, under the powers of the Towns Improvement Act, 1854, borrowed £3,000 to enable them to complete the purchase, and make the works required by them to supply water to the town.
- Ev. 45.** The Commissioners on the 24th April, 1871, paid £4,108 19s. 6d., the full amount of the purchase money and costs of arbitration, &c., out of the rates.
- Ev. 45.** The residue of the £5,000 was applied by the Town Commissioners on town works. They levied a 6d. water rate under the 17th and 18th Vic., cap. 102.
- 34 & 35 Vic., cap. 102.**
Ev. 25. On the 14th August, 1871, the Act of the 34 and 35 Vic., c. 198, the Newry Improvement and Waterworks Act, 1871, was passed, by which it is enacted that the Town Commissioners and their successors shall be a body corporate, and have perpetual successors and a common seal. The powers of the Grand Juries of the counties of Down and Armagh respectively over roads, streets, bridges, &c., in the town, and of levying county cess within the borough, are transferred to and vested in the Town Commissioners, who are to contribute to county at large purposes, and one of the Town Commissioners is to be entitled to sit at the County Presentment Sessions.
- Ev. 25-28.**
34 & 35 Vic., cap. 198, ss. 2 to 7.
S. 2. The Commissioners are empowered to construct a town hall and to establish markets and slaughter-houses, and to purchase grounds and premises and existing markets and markets and fair tolls and dues, and to reserve for the use of the markets the tolls, rents, stallages, and dues mentioned in the schedule to the Act; and they have power to appoint a better weigher and taster, and to charge and receive for the weighing and tasting of butter the fees authorized for the time being by the general statutes in force in Ireland to be taken in respect of the weighing and tasting of butter. They are empowered to construct public baths and wash-houses and to open a public park, and to supply from the waterworks then in their possession and from the proposed new waterworks water for domestic and public purposes to the inhabitants of the town. They are empowered to levy a "Newry town rate" not to exceed 3s. in the pound in the valuation, and a "Newry water rate" not to exceed 3d. in the pound, with this provision, that if the produce of the water rate in any year shall not be sufficient for the purposes to which the rate is applicable, they may levy a further rate not exceeding 9d. in the pound on all rateable property except mills and stores separately rated as such, and in case there shall be still a deficiency they may levy a further rate not exceeding 9d. in the pound in the year on mills and stores. These rates and Newry water rate are to be in lieu of the general yearly assessment directed by sec. 60 of the Towns Improvement Act of 1854.
- S. 3.** The Commissioners are empowered to borrow upon the security of the Newry town rate and Newry water rate any sum not exceeding £37,000, in addition to any existing mortgage-debt, to be repaid by means of a sinking fund, and the moneys borrowed are to be applied in payment of costs and expenses, &c., of obtaining the Act, and the expenses of the execution of the Act, and in paying to the trustees, as thereafter provided, the moneys directed to be paid to them under Part II. of the Act in respect of new waterworks.
- S. 38.**
Ev. 300. A special and careful provision was made for the auditing of the Commissioners' accounts, but this was repealed by the 35 & 36 Vic., cap. 69, sec. 12, and the accounts are audited by the Local Government auditor.
- 34 & 35 Vic., cap. 198, Part II., ss. 15 to 27.**
S. 38. By Part II. of the Act four Trustees, with one of the Town Commissioners, to be nominated by that body as a Trustee, are incorporated as undertakers for the purpose of constructing waterworks for obtaining from Camlough Lake a public supply of water at high pressure for the Town of Newry; and all necessary powers for the purpose of obtaining and securing the required quantity of water from Camlough, and bringing it to a service basin at the town, were conferred upon the Trustees, who were bound to supply 625,000 gallons of water every twenty-four hours throughout the year; and the Commissioners were to have control over the service reservoir, from which the supply was to be distributed without prejudice to the obligation of supplying the Town Commissioners. The Trustees are bound to supply 3,500,000 gallons of water on every day of the year, except Sunday, for the use of mills and factories using any fall of the Camlough River, and for the use of the Newry Navigation Company. For the making of the works and the supplying of 625,000 gallons of water in every twenty-four hours the Town Commissioners were to pay the Trustees £12,000; and, finally it is provided that the costs of obtaining the Act are to be settled by the award of Mr. John Hancock, of Lurgan.
- Ev. 55, 56, 57.**
Ev. 54-56. There were several petitioners—of whom the Grand Juries of the counties of Armagh and Down were two—against the Bill for obtaining this Act, and the costs amounted to upwards of £8,000, of which the Town Commissioners had to pay £5,512 0s. 9d., including the costs of Mr. Hancock's award. Under the provisions of the Act the Town Commissioners purchased existing markets, and ground for making additional

ones, and also ground for making town improvements, and have now opened five public markets, from which a considerable annual profit is derived, and in which all markets and fairs are held, and these are no longer an obstruction and nuisance in the streets of the town. The gross receipts from the public markets for the year ending the 31st January, 1876, were, as appears upon the audited account (Appendix No. 14, page 365), £2,306 19s. 7d., and the outgoings £1,023 14s. 5d., leaving a net profit of £1,333 5s. 2d.

The Camlough waterworks were completed by the trustees within the required time, and now afford to Newry an ample supply of water, distributed by gravitation throughout the town to the highest houses, and available and used for domestic purposes, and for extinguishing fires, flushing sewers and narrow lanes and courts, and watering the streets.

The Town Commissioners levy under the "Newry Improvement and Waterworks Act" a town rate of 3s. in the pound, and a water rate of 1s. in the pound on all rateable property within the borough other than stores and mills separately rated as such, and a rate of 6d. in the pound on stores and mills separately rated. The town rate and water rate levied in October, 1876, amounted together to £5,451 16s. 6d., and they received for special water rents and supplies for the year ending 31st December, 1876, £339 3s. The other chief sources of income to the Commissioners is that afforded by the public markets, from which the receipts for the year were £2,406 19s. 7d.

As appears from the abstracts of the audited accounts, a separate account is kept of the water rate and rents, and the expenditure of them, and another account is kept of the receipt and application of the town rate and the proceeds of the markets, and that the expenditures of the rates are, with one or two exceptions, of the ordinary character necessary for town purposes. The only exceptions to be noticed are—the payment of interest and instalments upon and in reduction of the capital debts of the Town Commissioners, hereinafter mentioned, and the application of £513 19s. 3d. of the town rate in payment of the purchase-money of ground purchased by Commissioners for market purposes, the title to which had not until that year been completed.

Another item of expenditure out of the Newry town rate to be noticed is the contribution for the county at large charges of the counties of Armagh and Down of £980 0s. 11d., which includes £35 disallowed by the auditor as an over-payment, made by mistake, and which will be refunded. It will be seen from the evidence of Mr. Doherty and Mr. Devenish Meares, and the documents referred to by them, that up to the passing of the "Newry Improvement and Waterworks Act" in 1871 the borough of Newry paid in the form of county cess large sums to the counties of Armagh and Down, for which there was not any direct return, and that the gain to the borough by the transfer of the powers and duties of the Grand Jury is equivalent to from £600 to £800 a year.

The capital debt of Newry consists of the balances, still unpaid, of the moneys borrowed by the Commissioners, viz., £5,000 originally borrowed under the power given by the 17 & 18 Vic., cap. 103, and £37,000 borrowed at different times under powers conferred by the 34 and 35 Vic., cap. 193, sec. 60, making together £42,000.

A statement was handed in by the Town Clerk setting forth the dates at which the sums making the £42,000 were borrowed and the same repaid on account of them respectively. The balance of capital debt now remaining unpaid is £33,274 18s. 7d. These loans are repayable by equal annual instalments composed of 5 per cent. interest and $\frac{1}{4}$ per cent. sinking fund, making $5\frac{1}{4}$ per cent. This annual payment upon all the loans amounts to about £3,700 a year, and will continue the same, subject to variation of income tax, until the whole debt is satisfied. The instalments and interest have been paid out of the town and water rates and rents and the receipts from the markets. The £42,000 have been applied in paying off the £3,000 borrowed for the purchase of the Halliwell Waterworks, and in the purchase of the right of supply from the Camlough Waterworks, and in making the works necessary for distribution of the water, and in purchasing ground, &c., for the erection of and in erecting the public markets, and in purchasing houses and ground in order to improve the town.

The Town Commissioners in 1875, with the sanction of the Local Government Board, applied to the Public Works Loan Commissioners, under the 37 and 38 Vic., cap. 93, sec. 43, for an advance of £27,000 at a lower rate of interest than they were paying on their loans, in order to pay off so much of the existing mortgages and relieve the rates from interest to the amount of about £270 a year, which would then be available for the making of sewers much required in parts of the town.

The Town Commissioners were advised by counsel that these applications were within the 43rd section above referred to because the £27,000 which they wanted to pay off had been expended in works made for sanitary purposes, viz., the public markets

Newry

S. 92.

R. 23.

App. No. 14

R. 35.

Mr. J. Devenish

Meares.

R. 270-285.

Mr. B. J.

Doherty.

Town Clerk.

R. 119-123.

R. 125.

R. 236-237.

R. 210, 211,

212.

R. 239.

R. 254, 255,

256.

Mr. Doherty.

R. 208-210.

Mr. Devenish

Meares.

R. 605-606.

CLARENCE

Doherty.

Mr. J. Doherty.

R. 77-79.

R. 99-113.

Mr. Thomas

Camp, solicitor.

R. 467-470.

R. 426.

Newry. — and the public water supply. The Commissioners of Public Works, on the advice of the Law Officers in Ireland, refused the application.

Mr. J. Devenish Meares, Esq. 533-535. The Town Commissioners of Newry being an urban sanitary authority, have appointed the usual number of sanitary officers, who appear to discharge their duties honestly and effectually. The Town Commissioners have, from 1866 to 1876 inclusive, expended £3,679 3s. 4d. in drainage work. Of this sum there was up to 1871 contributed by the counties £1,156 17s., and by owners and occupiers £227 8s. 6d. (Appendix 14, page 365). They have erected new and commodious public markets, by which the town has been relieved from the very great nuisance of having the fairs and markets held in the streets, and which are a source of considerable profit, and they have provided a very abundant public water supply at high pressure, available at all times for all public and private purposes. There is, however, a good deal of sanitary work still to be done at Newry. One at least of the principal streets of the town is without any main sewer, and there are other streets in which there is the same want. Newry has the advantage of a tidal river flowing through it, and a small rapid river called the Mill-race flowing into the said river. These rivers afford facilities for drainage, and to some extent make the want of main sewers, above referred to, less important. The Town Commissioners in 1875 caused a specification and estimate of the required sewer work to be prepared by the town surveyor, Mr. Devenish Meares, and it was with a view of providing funds for making the required sewers that the Town Commissioners, as above mentioned, applied to the Public Works Loan Commissioners in 1875 for a loan of £27,000.

Dr. Andrew McNeill, Esq. 493. There are in parts of Newry houses formerly occupied by the gentry, but now occupied as tenement houses, each one by two or three or more families of the poorer classes. The private accommodation in these houses originally intended and sufficient for one family is absolutely insufficient for the comfort, health, or cleanliness of the present numerous occupiers; moreover, it is used or abused in such a way as to be useless for the purposes for which it was intended, and the halls, lobbies, or landing places are made depositories of night soil and filth. This state of nuisance is made the subject of frequently recurring complaints and report by the sanitary officers, whose reports are always acted on and cleanliness enforced; but the same causes, viz., the overcrowding of houses and the dirty and (according to one witness at least) intemperate habits of the occupiers, reproduce the same results, and the process of purifying has to be repeated.

Mr. E. J. Dobson, Esq. 513-5. It appeared in evidence that there were 400 or 500 houses in Newry which were without the means of having proper accommodation provided in or about them for the occupiers. Of course the only remedy for such a state of things is removal and reconstruction. The provisions of the "Artisans' Dwellings Act of 1875," the 35 & 36 Vict., esp. 36, would, if available, enable the Commissioners to do what is required, but as the population of Newry is under 25,000 this Act does not apply.

It appears that the owners of house property did not raise any difficulties in the way of sanitary improvements, but always acted upon the suggestions of the sanitary authority.

There is not any public slaughter-house in Newry, and the want of such an institution is felt and complained of because the existing slaughter-houses, the property of private persons, are so situated in densely populated places as to render them nuisances, although care is taken by the town officers to have them properly cleansed.

There is not any town watch established by the Town Commissioners. The town is under the care of the Royal Irish Constabulary, but they do not act as a night watch, and the town does not pay for their services.

E. B. LAWLESS. (Seal)

H. A. ROBINSON,
Acting as Secretary,

DUBLIN.

DUBLIN.

Our inquiry in Dublin was limited, by your Grace's instructions in Mr. Robinson's letter of the 13th April last, to the points named in the resolution of the Select Committee of the House of Commons then communicated to us, and which are as follows:—

- (1). The conditions and circumstances under which leases of corporate property were granted.
- (2). The payment and duties of high constable, water bailiffs, and officer of Commons.
- (3). The management of the markets and the position of the officers (including the weighmasters) connected therewith.
- (4). The management and expenditure of the improvement fund.

In this order we proceed to deal with them:—

I. The conditions and circumstances under which leases of corporate property have been granted, have recently undergone a considerable change in consequence of the modification of the 55th by-law of 1851, which was submitted to the late Lord Lieutenant for approval on the 28th February, 1876, and assented to by His Grace on the 7th March, following.

Dr. Harwood,
Ev. 40, 41.

The leasing powers of the reformed Corporation of Dublin, were for some years after the passing of the Act of 1840, governed by sections 140–143 of that Act, and the practice then pursued will be found in Mr. Morgan's evidence; but in June, 1851, certain by-laws were passed by the town council in pursuance of powers given by that Act, and the "Dublin Improvement Act of 1849," of which one—the 55th was as follows:—

Ev. 20.
Mr. F. Morgan,
Ev. 470–475.

"That no property of the Corporation shall be disposed of, except by auction after public advertisement, subject, however, to confirmation by the council, provided, however that if after being thus set up to public competition on two occasions without a sale or letting being effected, the council shall, upon a special report thereof, have the power to dispose of such property in the manner by them considered most judicious."

Dr. Harwood,
Ev. 31.

From 1851, accordingly, all the landed or house property of the Corporation, as it fell out of lease, was put up to auction, and disposed of according to the terms of this by-law, until the beginning of last year, when, in consequence of a number of valuable houses and shops in the best business part of the city (Grafton-street and Suffolk-street) being about to fall out of lease—principally in the year 1880, but some few in 1877 and 1878—it was thought expedient, in order to do justice to the occupying tenants, to amend and modify this by-law; and after a memorial to the late Lord Lieutenant on the subject, and an interview on the part of No. 3 Committee of the Corporation with Mr. Burke, the Under Secretary, the by-law was amended by the introduction of the words "save as hereinafter mentioned" in the first line, and the addition after the word "judicious" of the following words:—

Ev. 55; and
Mr. F. Morgan,
Ev. 468.

Dr. Harwood,
Ev. 33, 35; and
Mr. Morgan,
Ev. 478.

Dr. Harwood,
Ev. 32–33.

Ev. 55.

"The exception to the foregoing being in the case of a tenant who is in actual occupation, and where the lease is within a period of five years' expiration, who shall by memorial to the Council ask for a renewal of said lease, that then and in such case the Council may, with the consent of the Lords of the Treasury, grant a renewal of said lease, without offering the premises to public competition, for a term not exceeding thirty-one years, or, in the event of the tenant proposing to rebuild the premises, for a term not exceeding seventy-five years, at a yearly rent to be estimated by a sworn and competent valuator to be appointed by the Lords of the Treasury, as the yearly value of the premises at the time, and upon the express condition of the tenant before the execution of such new lease expending such sum of money upon the premises as the city architect for the time being, upon his oath, may declare as necessary, having regard to the period of years for which such new lease may be granted, and for the purpose of having the premises put into such a state of repair as may, as far as practicable, enable them to be delivered up at the expiration of the term in good and substantial condition; and in the case where the rebuilding of the premises may be required on a building lease for seventy-five years, the new building to be erected under the supervision and control of the city architect, subject to the direction of the law, lease, and finance committee of the Corporation."

Mr. Burke's letter of the 7th March, 1876, conveying the consent of the Lord Lieutenant to the by-law as thus amended, was on the 19th of that month—

Ev. 40, 41.

"Referred to a committee of the whole house, with instructions to take into consideration the nature and circumstances of the property of the Corporation from the falling out of the lease, and to deal therewith by recommendations to this house from time to time as occasion may require."

That committee met on the 24th March, 1876, when two resolutions were passed:—

- (1.) "That on the 3rd April next, the day before which the by-law will become law, the Town Clerk apply to the Lords of the Treasury to appoint a sworn and competent valuator for the purposes of the by-law.
- (2.) "That the law and land agent be requested to immediately prepare a schedule of all the property coming within the terms of this by-law, with the occupiers' names and all other information."

Dr. Newman,
Ex. 25-26

The Lords of the Treasury declined to appoint a general valuator, but replied that they would deal with each case upon its merits.

(See, too, letter
from the Lords
of the
Treasury.)
Ex. 284.
Ex. 26.

On the next meeting, viz the amended by-law, 17th January, 1877, it was resolved to invite—

"The present actual occupiers of all property, the leases of which expire within five years from the 1st April, 1878, to forward proposals to the committee for leases, whether the occupiers hold directly from the Corporation or not."

And again :—

"That all other parties (if any) who were in actual occupation on the day five years previous to the expiry of the Corporation leases be also invited to send in proposals, so as to give the Council the fullest possible information in each particular case."

Ex. 28.

This resolution was probably thought advisable in consequence of the conduct of certain lessees or their representatives, who were intermediate parties between the Corporation and the actual occupiers, and who had in the meantime, hoping to obtain advantage of the operation of the amended by-law, served notices on the actual occupiers, in consequence of which opinions of Messrs. Law, Q.C., and Walker, Q.C., had been taken by the Corporation upon the construction of the by-law. Upon these opinions being read at the next meeting of the Committee of the whole House on the 8th February, 1877, Town Councillor Gray moved that a special meeting of the Town Council be forthwith convened to pass a resolution, of which he then gave notice, in order that "the determination of the Town Council may be made manifest to protect, as far as in it lies, the equitable claims of the actual occupiers, and in no case to allow any advantage to the middleman under a by-law not intended for such purpose."

Ex. 28.

Ex. 28.

Accordingly at a special meeting of the Council, held on the 16th February last, Councillor Gray moved his resolution :—

"That we, the Municipal Council of the city of Dublin, in special meeting assembled, hereby declare, that the intention of this Council, when amending the 25th by-law, was to afford protection on equitable terms to the then actual occupiers and their representatives, and that this Council therefore declares that in the case of any middleman so serving notice to quit, or ejecting the actual occupier before the expiry of the original lease, in the hope or expectation of thereby obtaining the exceptional favour of a lease without public competition under the discretionary power conferred on the Council in the amended by-law, that under no circumstances will this Council grant any such favour to any person so ejecting or serving notice to quit on the actual occupier; but on the contrary, it will decline to grant to any such person any lease of any premises either originally in his own occupation, or otherwise."

Ex. 22, 23.

To this an amendment was moved, which only differed from the original resolution by the introduction of the words, "unless on special cause shown and allowed by vote of Council," which words were undoubtedly sought to be introduced to meet the case of Town Councillor Rochford, who had been for a long time an applicant for a new lease of certain premises on City-quay and Peterson's-lane, known as "Precious Clarke's holding," a portion of which premises (in Peterson's-lane) were in the occupation of Messrs. Mossell and Mitchell.

Dr. Newman,
Ex. 22-23.
Address
Harris,
Ex. 26-284
Mr. F. Morgan,
Ex. 418-422

This being a typical case, and one which has given rise to some animadversion, and may probably become the subject of litigation, was gone into at great length in the evidence, where all the circumstances and the correspondence relating to it will be found fully detailed.

The case is remarkable, as an illustration of what may happen in other instances under the amended by-law, on two grounds—the one with reference to the hardship which an occupying tenant might be subjected to by the action of the middleman—the other, the position in which the Corporation may be placed by the action of the Lords of the Treasury.

Briefly stated, the facts bearing on these two points are as follows :—

Dr. Newman,
Ex. 22-23.
Mr. Morgan,
Ex. 422.
Ex. 418.
Dr. Newman,
Ex. 22-284.
Ex. 28.

The Council, in ignorance of the fact that Messrs. Mossell and Mitchell occupied any portion of these premises, had, on the 27th January last, after the passing of the amended by-law, notwithstanding a remonstrance upon other grounds from Mr. Morgan, their law and land agent, forwarded a memorial to the Lords of the Treasury for their assent to a seventy-five years' lease to Mr. Rochford. They had previously obtained a valuation of the premises from Messrs. Brassington and Gale, and a report from the city architect as to the cost of the necessary outlay, which were communicated to the Lords of the Treasury, who, on the 6th of February last, after some intervening correspondence respecting Mr. Morgan's protest, signified their approval of a seventy-five years' lease being granted to Mr. Rochford at an annual rent of £84, and upon condition of the outlay recommended by the city architect. This rent of £84, was, however, according to Brassington and Gale's valuation, the annual value of the premises for a thirty-one years' lease only when no

Ex. 24-25.

Ex. 28.
Ex. 70, 71.

rebuilding would be required, whereas upon a seventy-five years' lease with a view to rebuilding they valued them at £95 a year.

In the meantime Messrs. Monsell and Mitchell, who had received notice to quit the portion of these premises held by them from Mr. Corbally, the middleman between them and Mr. Rochford, had, on the 22nd January last sent in a proposal for this portion, which they amended on the 8th of February, when they proposed to take a lease for seventy-five years at £40 being just double the valuation put upon that portion by Benington and Gale for seventy-five years, and £26 a year in excess of their valuation for thirty-one years.

Upon the 10th of February, the Council having before them this proposal, and the reply of the Lords of the Treasury to the memorial, resolved—

"Councillor Rochford to get a lease of the premises from City-quay to South Gloucester-street, for seventy-five years, at a rent and outlay to be fixed by the city architect as to outlay, and by Benington and Gale as to rent, and that upon execution of the said lease the lease now in existence shall be by him surrendered. The yard portion south of Gloucester-street to be then leased to Messrs. Monsell and Mitchell, upon like terms and conditions."

This resolution appears not to have been communicated to the Lords of the Treasury, Town Councillor Rochford having served notices upon the Lord Mayor that in the event of the Corporation refusing to grant him a lease upon the terms approved by the Lords of the Treasury he was advised to take steps to enforce specific performance of the same, and we have, since the close of this inquiry, learned that he has filed a bill against the Corporation to that effect.

Another, though subsidiary point, is deserving of notice in this case, viz., that Mr. Rochford, a Town Councillor, and a member of No. 3 (the leasing) committee, voted on the very critical question raised by Mr. Gray, M.P., upon the first application from Messrs. Monsell and Mitchell, and before the receipt of the Treasury letter of the 6th of February, to the effect that this application should be communicated to the Lords of the Treasury with a request that "pending the re-investigation of the whole matter by the Council the Lords of the Treasury will delay the consideration of the memorial." The result of Mr. Rochford voting on the question thus raised by Mr. Gray's amendment was that the numbers on both sides were equal, and the Lord Mayor having then voted against the amendment it was lost. The whole matter is very fully brought out in a letter from Messrs. Monsell and Mitchell to the *Freeman's Journal*, dated the 29th January, 1877, which will be found in the evidence of Alderman Harris.

Another case, illustrating the action of the Town Council under the by-law of 1851, before its alteration, which was gone into at almost greater length than that of Mr. Rochford, is that of Mr. Dockrell, another Town Councillor, the circumstances of which may be thus summarized. The lease of 47 and 48 Lower Stephen-street—two houses, with stables in the rear, in the occupation of Mr. Thomas Dockrell—having fallen in in 1872 the premises were put up to auction in the Council Chamber, according to the then usual practice, under the 55th by-law, on the 29th of June, 1872, when Councillor Dockrell was the only bidder at £10 a year each. His offer, upon Mr. Morgan's report, was not accepted by the Corporation, who were informed by Mr. Morgan that he had seen Mr. Dockrell, who was willing that they should be put up to auction again. Upon this point there was clearly a misunderstanding, and Mr. Dockrell, who had paid a deposit of £5, considered himself ill-treated, and did not attend the second auction, when a Mr. Burke was the only bidder for these two lots at £12 a year each. Mr. Morgan again advised that this bidding should not be accepted, and finally Mr. Burke offered £15 a year for each, and paid £7 10s. deposit. Subsequently Mr. Morgan went into the question with the city architect as to the outlay which would be needed to put them into tenable condition, when finding that if £200 were laid out on one house and £100 on the other, they might probably be let for thirty-one years, at from £70 to £80 a year, he reported accordingly to the Council, advising the exercise of their power to make such outlay, and to offer Mr. Dockrell a thirty-one years' lease of the stables in the rear, at not less than £10 a year, but in the event of the committee not recommending that the houses be put in repair, he repeats his previously expressed opinion that the ground comprised in each lot is worth £15 a year, on building lease for seventy-five years, and he further reports that he has returned Mr. Burke his deposit of £7 10s. for which he has signed a receipt, but that Mr. Dockrell has refused to receive back his deposit of £5, and has returned his cheque for that amount, with a letter from his solicitor stating "that he will reserve to himself the right to act as he may be advised."

On the 2nd of September, 1872, all the proceedings and correspondence relative to

Dublin.

Mr. Morgan,
Ev. 459.
Alderman
Harris,
Ev. 295.
Dr. Harwood,
Ev. 12.
See Benington
and Gale's
Valuation,
Ev. 63.
Ev. 73.

Ev. 74-78.

Ev. 79.

Alderman
Harris,
Ev. 295.

Ev. 296.

Mr. Morgan,
Ev. 459-462.
Mr. Dockrell,
Ev. 295-298.
Mr. Burke, &c.
Ev. 108, 177
and 178.
Dr. Harwood,
Ev. 35-39 and
104-122.

Ev. 109.

Ev. 106 and
Mr. F. Morgan,
Ev. 556.

See Mr.
Morgan's
Report.
Dr. Harwood,
Ev. 127, 108.

Ev. 112-116.

Deputy.

the re-letting of these premises appear to have come before the Council upon a reference from No. 3 Committee, when it was "moved by Councillor Byrne, and seconded by Councillor Denny, and carried, that the letting of these premises made on the 29th of June, to Mr. Dockrell, at £10 a year each, be confirmed by the Council."

No reason being here assigned for thus giving the preference to Mr. Dockrell, a member of the Council, over Mr. Burke, who had offered a much higher rent, or for passing over Mr. Morgan's later recommendation, we invited Messrs. Denny and Byrne, and subsequently Mr. Dockrell himself, to offer any explanation which might throw light upon the course thus adopted. Their explanations, and Mr. Morgan's account of the part, which he, as the law and land agent of the Corporation, took in these proceedings will be found at the evidence quoted in the margin.

Several other cases, to which we do not think it necessary here more particularly to advert, were gone into at some length in the course of Dr. Norwood's evidence, that gentleman having been, he said, instructed by the Council to afford us every information respecting the dealings with the Corporate property, and being desirous of giving us examples of the manner in which leases have been granted, including every case in which members of the Corporation are, or have been interested, not only under the amended by-law but also under the by-law of 1851, and previously.

No leases have, in fact, been yet perfected under the amended by-law, but a schedule of proposals (see Appendix No. 15, page 366) has been sent in, and in a few instances these proposals having been adopted by the Town Council upon a recommendation of No. 3 Committee, Mr. Morgan has been directed to prepare a memorial to the Lords of the Treasury, embodying the terms proposed, which memorial (see Appendix No. 15, page 367), after being posted up, pursuant to the terms of the statute, for the space of one month, has been forwarded to the Lords of the Treasury. Miss Gerty's proposal for lands at Ringwood (the memorial as to which, posted up outside the City Hall at the time of our Inquiry, is given in the Appendix), Mr. Rochford's, already treated of, and proposals for new leases by Messrs. Callinan and Son of Suffolk-street, and Mr. Campbell of Trinity-street, appear to be the only applications under the amended by-law yet submitted to the Lords of the Treasury for their approval.

Three members only of the present Town Council were said to be interested in the 55th by-law as now amended, viz., Councillor Rochford and Aldermen Manning and Harris; and Alderman Harris told us that he, although taking an active interest in its operation, and in the whole question of the disposal of the Corporate property, had made no proposal as yet for a renewal of the lease of the premises which he occupies in Suffolk-street, and that it was a matter of indifference to him whether he got such renewal or not. He has himself received notice to quit from the middleman under whom he is the occupying tenant; and he gave us other instances in which the middlemen holding leases under the Corporation had acted, or intimated their intention of acting, in a similar manner towards their undertenants since this modification of the 55th by-law. The inference he draws therefrom is that some further revision of the by-law is necessary, as, although it is still clearly open to the Corporation to put the premises up to auction, as heretofore, the present operation of the amended by-law is "to open the door to pressure and favouritism," at the same time that it is actually working a hardship upon the occupying tenants.

Alderman Harris gave us also some valuable evidence, showing the great discrepancy between the Poor Law Valuation and the actual letting value of property in that quarter of Dublin in which so many valuable leases are about to fall in in the course of the next three years, and this was subsequently confirmed by Mr. Morgan, the Law and Land Agent. That gentleman, whose disinterested anxiety to see the valuable estates of the Corporation disposed of to the best advantage is recognized by all parties, is very decidedly of opinion that the most advantageous course the Corporation could adopt, would be to sell the whole of their property, and apply the proceeds to paying off their debenture debt. Similar opinions, which we have reason to believe are shared by Alderman Harris, Mr. Gray, M.P., and other members of the Corporation, were expressed by Mr. Dockrell and Mr. Vereker, the latter of whom is strongly in favour of letting by auction in all cases. Two reports by Mr. Morgan upon this subject, which, although not falling within the direct terms of reference to us, have, it seems to us, an important bearing upon the first point (now under consideration), will be found in the Appendix to this Report (Appendix No. 15, page 382), and No. 3 Committee, in their report to the Council upon that relating to Baldoyle, "suggest the desirability of preparing maps and rentals of the property, with a view to its sale, and that city debentures be taken up and cancelled with the proceeds of the sale."

Dr. Norwood,
Pp. 117-122.
Mr. Byrne,
Pp. 128-137.
Mr. Dockrell,
Pp. 220-224.
Mr. Morgan,
Pp. 482-520,
and 522-529.
See, too,
Alderman
Manning,
Pp. 528.
Dr. Norwood,
Pp. 547.
Pp. 54, 55, 130,
159.
Pp. 56, 62 and
226.
Pp. 46 and 22.

Pp. 41.

Pp. 55, 54.

Pp. 220.

Pp. 103-107.

Pp. 55.
Alderman
Harris,
Pp. 522, 572.

Pp. 576-578,
and 597-599.

Pp. 596.
Pp. 585, 586,
and 578-593.

Pp. 569-571,

and 597-599.

Mr. Morgan,
Pp. 504-507.

Pp. 578.

Pp. 578, 579,
and also Mr.
Vereker,
Pp. 1480-1521.

Pp. 565.
Pp. 586, 587-
572.

II. The second point referred to us for inquiry is "The payment and duties of the high constable, water bailiffs, and officer of commons."

The duties of these officers, as settled in 1842, and at present framed and hung up in the Council Chamber, will be found in the Appendix (Appendix No. 15, page 386). The high constable, who is also billet-master, receives a salary of £100 a year, to which it was raised in 1863, his predecessor having received the same. His duties—although set out at considerably greater length in a letter addressed by himself in 1862, to Mr. Farquhar, the then Town Clerk, and published in the report of a special Committee, upon the duties and salaries of the Dublin Corporation—do not appear to have materially increased since his first appointment in 1848, when his salary was fixed at £10 a year. In 1851 it was increased to £50 a year, in 1858 to £75, and upon the motion of the present Lord Mayor, as a member of the special Committee of 1862, it was further raised to £100. As described by himself, his duties as billet-master are now merely nominal, and his duties as high constable are "to wait on the Lord Mayor, attend him on his rounds at the public markets, at levees, balls, and on all public occasions, to provide military bands when he gives a banquet, and to see that no improper exhibition takes place."

The water-bailiffs are no longer required to perform the duties set out in the Appendix, as settled in 1842, but they—

"Have charge of the plant with which the coal, salt, and potato ships are supplied, consisting of beams, scales, tubs, &c. They act as arbitrators between buyer and seller; they report upon offences and summon offenders before the police magistrates; they issue summonses for river and shipping acts, when such are contrary to the law; they attend before the Lord Mayor when disputes arise between buyer and seller, when such disputes are not submitted to arbitration; and they are actively engaged in minor duties. The salary of the officers is £300 per year each."

"The officers are bound to attend the office in person, and they severally remain on the quay, or are there from sunrise to sunset, and consider it their duty to attend the Lord Mayor when his lordship attends at the river in his official capacity; also to protect the citizens from fraud in the irregularity of weights or other frauds that may be committed on the quays or river, and to bring the defaulters before the Lord Mayor; to enforce all processes before execution; and to have at all seasons of the year a sufficient supply of the plant."

In addition to the above duties, one of the water-bailiffs acts as inspector of the weigh-houses on Barge-quay, Eden-quay, and City-quay. He has also charge of the life-boats placed along the river. He superintends the mending and repairing of all the plant. The salary of each of them is still £300 a year. Mr. P. J. Byrne is still in office; he was appointed in 1843. Mr. J. Murphy was appointed in February, 1873. In the first instance, on promotion, he got £100 a year, which was afterwards increased to £200.

The duty of "attending the sword" (one of the original duties of these officers, and of the officer of commons), was thus described by Mr. Martin, the acting town Clerk:—

"In the good old time, before the introduction of the metropolitan police, there was a very divided jurisdiction; the Earl of Meath had a jurisdiction; the Lord Archbishop of Dublin had a jurisdiction; and they used occasionally to meet and obstruct each other, and then there were the Lord Mayor's footmen."

Mr. Byrne, one of these water-bailiffs, is an old man of eighty, and the duties are practically exclusively performed by Mr. Murphy, who was alone examined by us. Under the old system these officers were paid by fees, and Mr. McEvoy sought to show that paying the water-bailiffs by salary worked a greater loss to the city than payment by fees, which, taking into account the compensation annuities, amounting to £246 per annum paid to two retired water-bailiffs, would have been, we found, the case last year, although the actual salaries and the other outgoings formerly payable out of the fees are very much less than the annual amount of fees now carried to the credit of the borough fund.

The present officer of commons, who is also the mace-bearer, was appointed in 1866 at a salary of £100 a year, his predecessor having received £150, to which Mr. Barlow's salary was raised in 1870, and subsequently increased to £200 a year, at which it now stands. His duties, many of which are merely nominal, remain as fixed in 1842 (see Appendix No. 15, page 386), but are said to have nearly doubled in consequence of the far more frequent meetings of the Council and the committees which he has to attend, and the consequent increase in the number of summonses or notices which he has to serve. In no other material respect, however, do his duties appear to have increased, and it should be remarked that he is paid at the rate of one halfpenny each for every summons or notice-paper he has to send out, which now amounts to something like £10 a month, while nearly all these notices are delivered by him by hand.

III. The markets—of which "the management and the position of the officers (including the weighmaster) connected therewith," was the third point referred to us—are, the Smithfield hay and straw market, the Kevin-street market, the Spitalfields market, the Green hide grass and rag market, and the Cattle market. Two other old markets, the Little

DUBLIN.

Mr. John
Martin.
Ev. 340-346.

Ev. 323.

Ev. 324.

Mr. P.
Darling.
Ev. 400, 407.Mr. Lake,
Ev. 350, 359,
and Mr. J.
Martin,
Ev. 364.

Ev. 363, 363.

Mr. Murphy,
Ev. 374,
Ev. 384-385,
and 393-400,
and 402,
Mr. McEvoy,
Ev. 437-447,
and Mr. Thomas
McDonnell,
Ev. 456-465.

Ev. 456, 453,

and

Mr. Murphy,
Ev. 466,
Mr. Martin,
Ev. 468-469,
and 471.

Ev. 493, 493.

Ev. 444, 443,

and

Mr. Barlow,
Ev. 648-651.Mr. Martin,
Ev. 628-629.Mr. Barlow,
Ev. 629-632.

THE MARKETS.

Mr. Lake,
Ev. 740.

INDEX.

Ev. 845.

Ev. 747, 758,
and 445.

Ev. 928-972.

Ev. 973-988.

Ev. 989-999.

Ev. 700-702.

Ev. 703.

Ev. 704, and

Mr. E. J. Webb,

Ev. 705-746.

Mr. Lohr,

Ev. 747-758.

See Mr. Finlay's

Report,

Ev. 1042.

Ev. 748-770.

Ev. 770-772.

Ev. 768.

Ev. 968.

Ev. 902, 903,

Ev. 904, 905,

906.

Ev. 954-956.

Ev. 1038,

1039, 1028.

Ev. 894-899.

Ev. 903-905.

Ev. 906-922.

Ev. 924.

Ev. 911-967.

Ev. 928, 933,

934.

Ev. 935.

Ev. 937.

Ev. 937, 942.

Ev. 944, 1015.

Ev. 924-927.

Ev. 932, 933.

Ev. 770.

Ev. 789, 894.

Ev. 890.

Ev. 894, 897.

Green-street butter and egg market, and the United Butter-trade market, have died out; and the Smithfield and the Cattle market are practically the only important markets at present under the control of the Corporation. The Cattle market is under the control of Committee No. 2 of the Corporation, but the others are all under the control of the Lord Mayor, who is *ex-officio* clerk of the markets. He appoints two deputy clerks of the markets, who are also inspectors of weights and measures, under the Dublin Improvement Act. One of them (Mr. Webb) is also inspector of petroleum at a salary of £10 a year, and they divide between them £160 a year as inspectors of weights and measures, and £30 a year as deputy clerks of the markets. (For their duties in these several capacities see Appendix No. 15, page 386.) They also receive a fee on all adjustments of weights and measures upon a scale long settled, which, although said to be acquiesced in by the general public, has given rise to at least occasional objections or complaints, some of which were raised upon the present inquiry. A more material objection has been raised by the auditor, Mr. Finlay, viz.—That these fees, which average about £5 5s. a week, after deducting all incidental expenses, ought, under the Dublin Improvement Act, to be lodged to the credit of the improvement fund; and so long ago as the year 1872 he suggested that the opinion of counsel should be taken on this point. No such opinion has been taken, and quite recently No. 2 Committee have recommended that the existing custom be continued. The weights used in the water-halliffs department and the Corporation weighbridges are tested by these officers free of charge.

The Smithfield market for the sale of hay and straw, is held on Tuesdays and Saturdays. Formerly all the cattle were sold there, but although Smithfield is a free market, in which no tolls can be levied, whereas in the Cattle market, all cattle brought in for sale pay certain tolls fixed by schedule, almost all cattle now sent into Dublin for sale of whatever kind are sold in the Cattle market, which more than pays all its expenses, notwithstanding the high rate of interest at which the greater part of the capital invested in it was borrowed.

The entire cost of the Cattle market has been £24,550, of which the first £17,000 raised, and the last loan of £3,500 was borrowed for fifty years at six per cent. on debenture mortgages, subject to deduction if the surplus half yearly profits of the market do not realize sufficient to pay the full amount. The two intermediate loans of £550 and £3,500 were borrowed, the former at five and the latter at four and a half per cent. The ground on which the cattle market stands is held by the Corporation, we were told, in perpetuity at a rent of £315 a year, which includes the City Arms Hotel, now let at £115 a year. This market is managed (under No. 2 Committee) by one superintendent at a salary of £100 a year, who receives all tolls and dues, and the weekly rents of certain wooden offices put up for the convenience of the salemasters, which sums he is required, after deducting the wages of the labourers employed in the market (averaging last year £93 0s. 10d.), to pay to the Bank of Ireland every week to the credit of the Corporation, upon a receivable order from the city treasurer. Previously to lodging this balance, the superintendent is required to furnish each week to No. 2 Committee a detailed account, showing not only the gross amount of his collections from tolls and office rents and the disbursements for weekly wages, but also the names of the owners of the cattle and the number of heasts, sheep, and other animals, distinguishing them, which are brought into the market. The scavenging of the cattle market costs the Corporation under the present system about £80 a year, after deducting the sale of the manure.

The previous superintendent was a defaulter to the amount of about £315, of which only £114 has been yet made good; and Mr. Finlay, in reporting on the defalcation after his first audit, said there was no check exercised on the superintendent's receipts, but that a more efficient system had been introduced. We were told, however, that the same system as now pursued was supposed to be then in force, only it was not carried out. The present superintendent gives a bond for £500, and the balance of the late superintendent's debt is said to be secured by an insurance kept up by his family, and payable on his death.

The inspector of the Smithfield market also receives £100 a year, viz., £75 a year as inspector of the hay and straw market, and £25 a year as inspector of the pig market which is held every Thursday in the hay market adjoining, and indeed forming part of Smithfield, and is described as a very great nuisance.

Mr. Morgan, in a report upon the markets, says of this pig market, that it "presents the strongest evidence of neglect and defiance of all proper regulation," "creating a public nuisance and permanent obstruction from 3 p.m. each Wednesday until conclusion of Thursday's market," and he proceeds to offer suggestions for limiting its area and remodelling it, which however has not been done. The obvious remedy would seem to be to remove the pig market to the cattle market where there is plenty of accommo-

dation; but the interests of the persons who are in the habit of selling these pigs on commission, and who live in Smithfield, appear to form an obstacle to this. The only other animals sold in Smithfield now are some store cattle.

The duties of the inspector are to see that the by-laws are carried out in the Smithfield market, and to examine all hay and straw exposed for sale with the view of detecting fraud, and if any be discovered, to report it to the Lord Mayor. If the hay or straw be condemned by the Lord Mayor, it is to be sold by public auction, and the proceeds paid to the credit of the Borough Fund. The inspector has only one assistant, who is paid 5s. a day on Tuesdays and Saturdays.

The only fees charged in this market are for weighing— $\frac{1}{4}$ d. per cwt. for both hay and straw—returns of which are made twice a week by the weighmasters to the secretary to No. 2 Committee, and the net amounts lodged to the credit of the Improvement Fund by the weighmasters, after deducting the wages of two porters and a clerk. At the end of each month all the fees received are divided equally between the five weighmasters, so long as their amount does not exceed what would give £120 a year to each. In that event the surplus would go to the credit of the Improvement Fund; but hitherto there has been no surplus. Last year £108 10s. was divided between the five weighmasters, and the year before they appear to have got but £351 between them. It not being compulsory to weigh in Smithfield market, some of the factors have set up private weigh-houses, of which there are now seven, in the vicinity of the market; and with a view of reducing the competition from these, the Corporation weighmasters are it seems authorized to, and do, charge less than the $\frac{1}{4}$ d. per cwt. which was fixed by the Act. The duties of the weighmasters will be found set out at length in Mr. Lalor's evidence, at questions 793, 794.

The "Kevin-street market," which was formerly under the control of the Earl of Meath, does not pay its expenses. The Lord Mayor's deputy at this market is entitled to 30s. a week, provided he receives that amount of fees; but his average earnings from the date of his appointment have been 12s. 7d. weekly, and the cost of the establishment to the Improvement Fund for the current year was said to be £13 1s. 6d.

"Spitalfields," another old market, which at one time yielded £1,600 a year, has become such a merely nominal affair that no account has been kept of it since August, 1857. It is subject to a rent of £50 a year, payable by the weighmaster to a Mr. Laurence Keogh, who is cousin to the present weighmaster. The latter is entitled to receive all the fees and required to pay all expenses out of them, and Mr. Lalor expressed himself as certain that he did not receive more than 10s. a week from the market, which is practically his own, there being no claim on the Corporation for the rent.

The remaining market, the "Green Hide Crane and Rag Market," which is held on ground belonging to the Corporation, and consequently under the control of No. 3 Committee, is let at an annual rent of £50, to Mr. James Macken, who is the "craner" or weighmaster, as yearly tenant. It was formerly let at £70 a year, but reduced at request of the present tenant. No supervision is exercised over this man by the Corporation, and although a memorial of the hide merchants of the city was presented two years ago, complaining that the "craner" had become himself a dealer in hides and skins, to the prejudice of the trade, which we found was, as alleged, in direct contravention of his agreement in 1871, when the rent was reduced to £50, no steps have been taken by No. 3 Committee either to insist on his abandoning the practice, or to determine his tenancy, the Committee coming to the conclusion upon inquiry that there was no fraud detectable, and that although it might be injurious to the buyers, it was rather an advantage than otherwise to the sellers, who were in favour of the additional competition thus created. That it does work an injustice to the trade buyers was clearly explained by Mr. Lyons, and it was finally admitted on behalf of the Committee that the practice was in contravention of the "craner's" agreement, and that there had never been any attempt to get any higher or better terms for the market from anyone else.

There are three weigh-houses belonging to the Corporation, which were established in consequence of a report by Lord Mayor Joynt, to which our attention was directed by Mr. McEvoy. These weigh-houses do not pay—those at City-quay and Burgh-quay being worked at an annual loss of about £150 between them, and that at Eden-quay only just pays its expenses.

IV. The management and expenditure of the improvement fund is practically under the charge of No. 1 Committee of the Corporation. This fund consists principally of the receipts from the improvement rate, which, by the Dublin Improvement Act of 1849 (12 & 13 Vic., c. 97) is limited to 2s. in the pound, at which it is always levied. The 2s. rate ought to produce, upon the present valuation, £59,489 18s. 6d. per annum, of which it is estimated that upon an average over £6,000 would be always lost as irrecoverable.

Borough.

Ex. 965

Ex. 770, 781.

Ex. 773.

Ex. 773, 780, 783.

THE WEIGHT-

MASTERS.

Ex. 785-794.

Ex. 777, 778-

784, 803.

Ex. 802.

Mr. Thompson,

Ex. 805-808.

Mr. Lalor,

Ex. 793, 794.

Ex. 803-814.

Ex. 855.

Ex. 819-820.

Ex. 818, 837.

Ex. 816, 818,

836-839.

Ex. 831-837.

Ex. 838, 849.

Mr. Lyons,

Ex. 845-852.

Mr. Martin,

Ex. 1036, 1040.

Mr. Lalor,

Ex. 857, 865.

Mr. Lyons,

Ex. 864.

Mr. Morris,

Ex. 1041, and

1055, 1059.

Mr. Lalor,

Ex. 146-475.

Ex. 448-451.

IMPROVEMENT

FUND

RECEIPTS.

Mr. Newidge,

Ex. 1168.

Mr. O'Donnell,

Ex. 1047-

1049.

Ex. 1063-

1066, 1069.

Dr. 1071-

1088.
Dr. 1089,
1089.

The Collector-General, under the "Collector-General of Rates Act," steps two and a half per cent. for expenses of collection, and ten per cent. is the estimated loss for insolvencies, exemptions, &c. Each rate is kept four years in course of collection, so that the lodgment each year consists of only an instalment of the current rate, and is largely made up of arrears from the rates of the three preceding years.

Dr. 1022-
1086.

The receipts for the year ending 31st August, 1875—the last year audited before our inquiry—amounted to £63,828 15s., and included a sum of £351 10s. 6d. (see abstract of Improvement Account in Appendix No. 15, page 378), lodged by the weighmasters from the city weigh-houses, and Smithfield Market, including proceeds of confiscated hay and straw, which, as we have already seen, ought to have been carried to the credit of the Borough fund to which it was subsequently transferred.

Dr. 1085-
1090.

Certain Wide Street rents should produce about £420 a year to the credit of the improvement fund, and £33 18s. 5d. is the annual rent, also payable to this fund, from some old turnpike houses on the Circular-road on which the turnpikes have been abolished.

Dr. 1100.
Dr. 1101-
1114.

"Deposits" for licenses for works executed by the Corporation on behalf of and at the request of private parties form a large item in the annual receipts of this fund, and it is noticeable that a considerable portion of the late city treasurer's defalcations arose out of these deposits, upon which there is usually a balance to be returned. It may be here remarked that all this gentleman's (Mr. Robinson's) defalcations have been made good, and previous to the appointment of his successor the Corporation made an order that all payments, instead of passing through the treasurer's hands, should be made for the future direct to the Bank of Ireland upon a receivable order; and had this been strictly acted upon the detention of a cheque for £106 18s. 3d. from the London and North-Western Railway Company by the present town clerk, which was cashed by him instead of being paid direct to the credit of the improvement fund under circumstances subsequently noticed, could never have occurred.

Dr. 1118-
1122.

The receipts from sales of the manure from street scavenging are very trifling—something under £170. This arises from the streets being chiefly macadamized, and indeed the difficulty of disposing of these street sweepings is rapidly becoming a very serious question in consequence of the great cost of conveying them outside the city, and to the depôts being almost full owing to the unsaleable nature of the contents.

Dr. 1125-
1125.
Mr. P. Neill,
Dr. 1127-
1200.
Dr. 1128-
1141.

A sum of £500 which ought to have been paid to the credit of this fund by the Alliance Gas Company towards the cost incurred by the Corporation in opposing the Bill presented by that company in 1874 has not yet been paid, although Mr. Finlay the auditor had directed attention to the omission, and a member of the Corporation has long ago given notice of motion to call upon the company to carry out their agreement, which motion has not as yet been dealt with.

Mr. Beveridge,
Dr. 1175.
Mr. O'Donnell,
Dr. 1143,
1144.
Mr. Beveridge,
Dr. 1175.

No less a sum than £2,482 12s. 8d. which had been erroneously charged to the improvement fund in the years 1873, 1874, and 1875 has been recouped to that fund from the north and south sewer fund in 1876. Indeed at one time the improvement fund seems to have been "regarded as a fund for everything," and the accounts, previous to the appointment of Mr. Beveridge, the present secretary to No. 1 Committee, had got into great disorder. A very much better system has been now introduced, and the accounts of this committee and all the details of their street expenditure appear to be now kept with great clearness and accuracy.

Mr. O'Donnell,
Dr. 1147.

At the commencement of the financial year now under consideration there was a balance against the improvement fund of £3,327 15s. 7d., but the receipts having exceeded the expenditure by £2,744 8s. 1d., the balance due by this fund at the close of the year was reduced to £483 7s. 6d., a result mainly owing to the large recoup effected from the north and south sewers fund.

Expenditure of Improvements
1869-70.
Mr. Beveridge,
Dr. 1139-
1200.
Dr. 1204-
1216.

The expenditure for the year was £61,084 6s. 11d., the principal heads of which are as follows:—Salaries, £2,266 14s. 8d., the details of which are given by Mr. Beveridge in his evidence. Pensions or "compensation annuities," £1,369 7s. 2d. These arise under two Acts—the Improvement Act of 1849, by which officers of the Corporation who had served under the old Wide Street Board, may receive "adequate compensation" up to the full amount of their salary; and the "Local Officers' Superannuation Act (Ireland), 1869" (32 and 33 Vic., cap. 79), which limits the superannuation allowances to all other officers to two-thirds of the salary enjoyed at the date of retirement. The amount of these superannuation allowances, which, under the Act of 1869, was at first £2,522 5s. 11d., and which in 1864-65 had reached £3,681, has been this year reduced to £796 3s. 1d., to which, if we add £251 for pensions granted under the more recent Act of 1869, we shall have the full amount for the present year, viz., £1,047 3s. 1d.

Dr. 1217,
1242.

Dr. 1243.

Dr. 1240,
Dr. 1260.

The markets, weigh-houses, and weights and measures department constitute together a charge of £726 3s. 6d. against the Improvement Fund, of which £597 18s. 8d. is in respect of the Smithfield Market. The cost of lighting the public lamps, which is only

charged at £6,970 13s. 6d. in the account for the financial year, as audited, was really £8,867 13s. 7d. for the year; and in like manner the cost for scavenging, which is put down in the audited accounts at £8,099 19s. 9d. for the year ending 31st August, 1875, was £14,585 for the year ending 31st December, 1875, and has never been so low for many years as it was last year (1876), when the scavenging staff was reduced 20 per cent. it fell to £13,045.

The fact is—and this is an opinion expressed alike by Mr. Finlay, the auditor, Mr. Beveridge, the able secretary to No. 1 Committee, and Mr. O'Donnell, the experienced accountant to the Corporation—the financial year, as audited, ought to end, not on the 31st August, but on the 31st December, when the true expenditure for the year would be more correctly ascertained; and it was suggested by Mr. O'Donnell that a clause to effect this might possibly be introduced into the Collector-General of Rates Bill, now, we believe, under the consideration of Parliament.

For the £8,867 charged for lighting, the Corporation light 3,470 lamps at a cost of £3 11s. 5d. each per annum, and the price charged by the company for 1,000 cubic feet, which was in 1875 3s. 11d., is now 4s. 6d.

Of the £100,000 which the Corporation were empowered to borrow under their Improvement Act of 1847, they have received up to the present time £48,550—viz., £24,550 for the cattle market, as already stated, of which no portion has been paid off; £2,000 for the improvement of College-green—for College railings—of which £1,800 has been paid off; £2,000 to purchase horses in 1871, when they took the scavenging, which had previously been done by contract, into their own hands—all paid off within eighteen months; and £20,000 taken up in November, 1875, for the first instalment of a loan of £50,000, at 4½ per cent, contracted for with the Law Life Assurance Company. The remaining £30,000 the Corporation may take up or not, when they want it, and the first instalment of £1,000, which they are required to repay annually, was paid on the 13th December last. No sinking fund has been formed, as required by the Act of 1847, in respect of the £24,550 raised for cattle market.

In addition to these loans the Corporation have issued Lloyd's bonds for £5,820 13s. 4d., one of which, for £625, was paid off in August last.

Comparing the improvement account for 1875 with that of 1876, which was under audit at the time of our inquiry, we find that the receipts from rates to 31st August in the latter year amounted to £55,019 3s. 11d., or about £2,100 more than in 1875, attributable to the Government bounty being then for the first time brought into account. £20,000, the first instalment of the loan for £50,000, is also brought into this account, bringing up the total receipts to over £82,000. On the other hand the expenditure during that period upon "general works," such as paving, macadamizing, flagging, asphaltting, scavenging and watering, came to £53,599, against £40,299 in the previous corresponding year, the difference arising principally from the extra expenditure upon special paving works of £11,003 7s. 11d., out of the £20,000 instalment of loan. Two paving accounts are now kept—No. 1, the ordinary account which is paid out of the rates, and No. 2, for special works paid out of the loan, the latter of which had at Christmas last reached the sum of £17,805.

On the 31st August, 1876, subject to any alteration which might be made by the auditor there was a balance of £8,805 5s. 11d. in favour of the improvement fund instead of £483 7s. 6d. against it as at the close of the preceding year, but of course that represents a certain portion of the money borrowed. Before, however, the 31st December last more than £18,000 of the loan had been expended in paving and other works of a permanent character, and the £1,000, the first instalment of capital, had been repaid, and a balance remained to the credit of the improvement fund of over £3,200, showing a great improvement since 1874 in the financial position as regards this particular fund.

The whole amount received from the improvement rate from 1850 up to the 21st April in the present year has been no less than £1,299,368 1s. 6d., yielding an average income of over £48,000 a year from rates alone; at the same time the state of the Dublin streets is such that Mr. Parke Neville, the city engineer, does not pretend that they are, or can be maintained in anything like a satisfactory condition. He is now endeavouring under a special order of the Council to reduce the macadamizing and increase the paving, in the furtherance of which great assistance is being derived from the tramway companies. Eight miles and seven furlongs of tramways have been, it seems, already laid down in the city, along the whole length of which the centres of the streets have been paved by the companies at their own expense, and the Council have ordered that the paving of all these streets shall be completed by filling up the spaces between the tramways and footpaths. These companies are still extending their operations, and Mr. Neville considers that a great saving will be effected as the substitution of paving for macadamizing advances. "No matter," he says, "what price

DUBLIN
Ev. 1295-88.

Ev. 1248.
Ev. 1411.

Ev. 1431, 1436.

Ev. 1500.

Ev. 1581.
Ev. 1577, 1585
& 1579-1582.
Ev. 1587-1571.

LOANS ON
IMPROVEMENT
FUNDS.

Ev. 1597-94.
Ev. 1591.

Ev. 1592-1593.

Ev. 1593-1595.

Ev. 1511-1512.

Ev. 1510.

Ev. 1516.

Ev. 1419.

Ev. 1503.

Ev. 1448-1468.

THE DEBTORS,
AND BATTERED
CITIES
TRAMWAY.
Ev. 1513.

Ev. 1505, 1506
1490-1491.

Ev. 1579.

Ev. 1578.

Ev. 1591.

DEBATE.
 EN. 1307.
 EN. 1293.

you pay in Dublin you cannot get a first-class macadamizing stone." Another saving he hopes to effect by repairing the footways, which in many parts of the city stand much in need of repair, with Limer asphalt instead of flagging. The scavenging staff alone cost about £180 a week in wages, but many of the men employed appear to be quite unequal to the work, and some confirmation of the opinion we thus formed when seeing them paid in Whitehorse-yard, would seem to be afforded by the statement that when last year the Committee made an order reducing the staff by twenty per cent., very little inconvenience was felt by the reduction.

It is certainly difficult to imagine anything less effective than the manner in which their duty of scavenging is at present discharged; nor do we think that in any town we have visited in Ireland the streets present such evidence of neglect in this department.

One matter to which Mr. Finlay drew attention during his recent audit is here deserving of notice: Seven men were charged for as employed at 7s. a week at the Whitehorse-yard, and upon inquiry he found that one of them was dead, and that the other six were never employed there. This was admitted, and it was said that the Committee having no power to pension them, "they were set down nominally as at work, but it was an understood thing that they were not working." A woman who represented herself to be his wife drew the pay for the dead man for some time before his death, and subsequently.

Mr. Beveridge afterwards told us that it was the intention of the Council to superannuate these men, who have been very long in the service of the Corporation, and who were recommended by the city engineer as deserving men. He said "for a time they did light work, and then growing more feeble they were told to go about their business."

A report of Committee No. 1 having been printed on this subject, we annex it in the Appendix to this Report (Appendix No. 15, page 384).

We also print in the Appendix (No. 15, page 370), a statement of facts drawn up by a committee of the whole house in pursuance of an order of Council of 23rd March, 1877, in relation to the cheque for £106 18s. 3d. cashed by the Town Clerk on the 9th February, 1877, and not lodged by him to the credit of the Corporation until the 17th March following, and then not until after discovery of the fact that such cheque had been so cashed, and application made to him on the 12th March by Mr. Beveridge to lodge the money to the credit of the improvement fund not later than the 15th March.

Upon this statement being submitted by the committee in their report to the Council, Town Councillor E. D. Gray (the present Member for Tipperary), moved, "That the Town Clerk be, and is hereby required, to send in his resignation;" to which an amendment was moved by Sir John Barrington, and carried by the casting vote of the Lord Mayor:—

"That the report of facts from the committee of the whole house showed that the Town Clerk detained in his hands a sum of money which he, on receipt thereof, should have lodged to the credit of the Corporation; that such proceeding on his part, though not done with any fraudulent intent, was highly reprehensible and irregular, and calculated considerably to shake the confidence of the Council in him; that he be publicly reprimanded and suspended until he find security for £1,000 for his future regular conduct."

Since then we are informed that Mr. Henry having obtained security, has been reinstated in office.

U. CORBETT. (Seal)

H. A. ROBINSON,
Acting as Secretary.

EN. 1264-5,
 1409
 EN. 1270-8
 and 1455.

EN. 1422.
 EN. 1425.
 EN. 1473-77.

EN. 1442-1445
 and 1491.

EN. 1491.

WEXFORD.

WEXFORD.

The seaport town and parliamentary borough of Wexford was, before the passing of the 3rd and 4th Vict., cap. 108, governed by a Corporation of considerable antiquity. This Corporation was dissolved by that statute in schedules B and G, in which Wexford is included; and under the provisions of the 14th section of that statute, the present Corporation of Wexford received a charter of incorporation, by letters patent from Her Majesty the Queen, dated the 29th July, 1846.

Under this charter, which is the only one of the kind that has been granted since the passing of the 3rd and 4th Vict., cap. 108, the Corporation of Wexford are the owners of the property of the former Corporation, and are possessors of and bound by all the rights, powers, interests, duties, and liabilities of the Corporations that have been preserved and reformed by the 3rd and 4th Vict., cap. 108.

There are 464A. 3s. 11r. within the borough. The population at the last Census was 12,077, showing a small increase over that of 1861. The valuation of the property in the borough is £15,793, but for the purpose of levying the rate in lieu of county cess, which is leviable upon the principle of the Towns Improvement Act, 1854, the valuation is £15,443 5s. The town is, by the charter of incorporation, divided into three wards. The names, valuation, number of burgesses in, and number of representatives of, in the Corporation, are as follows, viz. :—

Mr. O'Leary,
Towns Clerk,
Esq. 10.PROVISIONAL
ORDER.

Name.	Valuation.			No. of Burgesses.	Representatives in Corporation.
	£.	s.	d.		
Solebar's, . . .	4,029	0	0	24	Two aldermen and six councillors.
St. Mary's, . . .	5,433	5	0	43	Do. do.
St. Bernard's, . . .	5,670	10	0	99	Do. do.
	£15,792	15	0	236	

The qualification for members of the Council under the charter of incorporation is the being on the burgess list and the possession of real or personal property, or both, of the clear value of £500 over and above his debts, or the being on the burgess list and the occupation for twelve months past of a house in the borough rated to the relief of the poor at £20 a year; and the qualification of a burgess is that required by the 3rd and 4th Vict., cap. 108.

27. 14.

The mayor, who does not receive any salary, is chosen from the general body of the Council. The 17th and 18th Vict., cap. 103, was adopted in its entirety by the Corporation in 1870. By a Provisional Order of the Local Government Board for Ireland, dated the 15th November, 1872, confirmed by the 36th Vict., cap. 61, passed on the 16th June, 1873, the jurisdiction, powers, and authority of the Grand Jury of the county of Wexford with respect to roads, bridges, footpaths, and public works within the borough, are transferred to the Corporation of Wexford. The borough is to contribute in proportion to the valuation of property within it to the county-at-large charges. Existing contracts under the Grand Jury are provided for; and the Corporation are empowered to levy, in addition to any other rates leviable by them, a rate of 2s. in the pound, to be levied in all respects as any assessment under the Towns Improvement (Ireland) Act, 1854.

28. 15.

28. 20-22.

The Corporation of Wexford obtained a second Provisional Order of the Local Government Board, Ireland, dated the 2nd December, 1873, which was confirmed by the 39th & 40th Vic., cap. 155. Several public Acts are incorporated by this Order, and the Corporation are empowered to exercise compulsory powers of purchase of lands and water and water-rights for the purpose of forming a water supply for public and domestic use in the town; they are empowered to levy a domestic water rate of 1s. in the pound on the valuation, and a public water rate of 6d. in the pound. And it is provided that the borrowing powers conferred by the 40th section of "The Public Health Act (Ireland), 1874," shall extend and apply to the rates authorized by the Order, and to the costs, charges, and expenses to be incurred by the Corporation in the performance of its duties under the Order. And the Corporation are empowered to borrow and take up at interest any sums of money necessary for defraying such costs, charges, and expenses, subject to the provisions and with the authorities contained in that section. The Order contains other provisions for the regulation of the water supply, which it is not necessary to refer to here. The Corporation have not, as yet, exercised the borrowing power so conferred upon them, but they have received from the eminent

28. 23.

W. 3000

engineer, Mr. Hawkesley, plans for the construction of public waterworks, and an estimate of about £16,000 for the costs and expenses of executing the works, not including the purchase-money of the lands that may be required. They have applied to the Commissioners of Public Works in Ireland for a loan of £25,000 for the purpose of purchasing land for and constructing the proposed public waterworks, but it is uncertain whether more than £25,000 may not be required, and the Corporation are desirous of obtaining at once a sum sufficient for the completion of the works. Some few of the members of the Council and of the ratepayers, objected to the expense of constructing public waterworks as unnecessary, but it is clear from the evidence given that the present supply of water is most miserably deficient, and that the great want of the town of Wexford is a good public water supply.

The old Corporation of Wexford is stated to have been possessed of considerable fee-simple properties in houses and lands, but large and substantial interests had been alienated by the Corporation before the passing of the 3 & 4 Vic., cap. 103. It is found by the Report of the Municipal Commissioners for Ireland, made in 1835, that at the time of the Commissioners' inquiry, the Corporation were seized and possessed of lands and houses near to and in the town of Wexford, in the occupation of twenty-nine tenants, producing a yearly rent of £147; and that it was expected that upon the termination of some leases, the particulars of which are not given in the Report, a rise of about £100 a year would take place. The same Report finds that very improvident lettings have been frequently made of portions of Corporation property upon very long leases at very low, or even nominal, rents. It appears from a rental furnished by the treasurer that, exclusive of the rent of £11 1s. 6d. received by the Corporation from what are known as the Pipefields, which is a portion of land held by the Corporation as tenants under Mr. Percival, who holds them himself as tenant of the Corporation, the annual rental of the Corporation is now £319 2s. 3d., paid by fifty-four tenants, or representatives of tenants, and that three tenants hold under leases or grants for ever, the dates of which are not given; and twenty hold under different leases for 999 years, all of which are stated to have been granted at intervals, from 1736 to 1794.

In the interval between the 30th August, 1836, and the 1st September, 1840, when the 6th & 7th Wm. IV., cap. 100, restraining alienation by Corporations including Wexford, the old Corporation made three leases, viz., one dated on the 26th July, 1837, to Richard Leared, of 1A. On. 16r., Irish, for 99 years, at the yearly rent of £5 10s.; another dated 31st July, 1837, to John Maddock, of 1A. On. 15r., Irish, for 99 years, at the yearly rent of £5 10s.; and another dated the 10th December, 1839, to David Robinson, of 10s. 2a., Irish, for 91 years, at the yearly rent of £42. These three leases may be within the prohibition of the 6th & 7th Wm. IV., cap. 100, but they appear to have been made at fair rents, and not from any corrupt or improper motives.

About 1850 or shortly after, some lease or leases under which property in the town was held at nominal rents terminated, and the Corporation succeeded in establishing their title to the property, which now brings in a considerable yearly rent.

About the year 1856 the present Corporation of Wexford sold and conveyed to the trustees of a charity, with the assent of the Lords Commissioners of the Treasury, a small portion of land, for the sum of £300, which was applied by the Corporation as portion of their borough fund.

There have been but very few leases or lettings made by the present Corporation since their erection in 1846. On the 17th April, 1855, a resolution of the Council was passed to make a lease for seventy-five years of a small piece of ground or yard adjoining the premises of Alderman Stafford to Mr. B. W. Ryan, then a member of the Town Council, at the yearly rent of £3. Up to that time the Corporation were receiving a very small—almost nominal—rent for this place. Alderman Stafford considered that this piece of ground could be added advantageously to his premises, and he agreed to give Mr. B. W. Ryan £40 for his interest in it. Mr. Ryan, on the 9th May, 1868, with the sanction of the Lords of the Treasury, surrendered his lease to the Corporation; and on the 11th May, 1868, the Corporation, with the sanction of the Lords of the Treasury, made a lease of the piece of ground to Alderman Stafford for ninety-nine years, at the rent of £3, the lessee covenanting to expend £500 in building. It does not appear that the bargain between Mr. Ryan and Alderman Stafford was disclosed to the Lords of the Treasury.

A further resolution of the 17th April, 1855, was made by the Corporation to grant a lease of premises within the borough to Alderman Walsh, a member of the Corporation, for seventy-five years, at the yearly rent of £25. The Government valuation of these premises at the time was £20, and Alderman Walsh was then the tenant in possession of the premises as tenant for the residue of a term of thirty-one years.

Municipal
Commissioners'
Report, 1835,
p. 177, 178.

Mr. T. Leary,
Ed. 184, 185.

Ed. 226, 261.

Ed. 283.

Ed. 126, 126.

Ed. 216, 217.

Ed. 247, 248.

Ed. 263.

Ed. 213-218,
221-222.

Alderman Walsh continued in possession, and paid the rent of £25, until his death, and his representatives are still in possession; but it does not appear that any lease to him was ever actually executed. In pursuance of a further resolution of the Corporation of the 17th April, 1855, a lease of premises at Westgate, within the borough, the valuation of which was £14 a year, was made by the Corporation to William Walpole for seventy-five years, at the yearly rent of £25. The lease contained a covenant by Mr. Walpole to build on the premises, "according to the provisions of the 3 and 4 Vic., cap. 108, sec. 142." Mr. Walpole was not at the time a member of the Corporation. He was tenant in occupation, holding under an immediate tenant of the Corporation, whose lease had shortly before determined; and he carried on his business on the premises. Three other lettings were made by the Corporation which need not be noticed. There were not in any of these cases any letting by auction, or any advertisements for tenders for the places, or any public notification of the intention of the Corporation to let the premises. It is not the practice of the Corporation to have such, and they consider and prefer the claims of the tenant in occupation, and the more especially if he has established his business upon the premises.

The Corporation do not administer any charitable fund or property of any kind.

The Corporation levy only two rates—a borough rate under the provisions of their Charter and the 3 & 4 Vic., cap. 108, which up to and for the financial year ending the 30th September, 1876, was 1s. in the pound, and amounted to £787 16s., and which for the present year is 10d. in the pound; and a rate of 2s. in the pound under the Provisional Order (Wexford) Confirmation Act, 1873, which amounted to £1,544 6s. 6d.

The other receipts of the Corporation consist chiefly of fines and costs under the Towns Improvement Act and under the Licensing Acts, and of pipe-water rents received by the Corporation for water supplied to the houses of such of the inhabitants as are willing to take it at a fixed scale of payment. The supply is from a reservoir, which, with its works, became vested, as appears from the Provisional Order Confirmation Act, 1876, in the Corporation in 1862.

For the year ending 30th September, 1876, these rents amounted to £207 only, whilst the expenses upon the works, &c., and cost of collection amounted to £145 6s. The water is not supplied to more than one-tenth of the houses in the town, and even to those the reservoir does not suffice to give a sufficient or a constant supply. An abstract of the accounts of the Corporation for the year ending the 30th September, 1876, will be found in the Appendix, in which are set forth the annual receipts and expenditures of the Corporation. The expenditures are of the ordinary character, and for the purpose incidental to municipal government and care of the town, with the exception of the contribution to the county at large charges under the Provisional Order Wexford Confirmation Act, 1873. The obtaining of this order was of substantial advantage to the town of Wexford, inasmuch as the two shilling rate will, after the county at large purposes are provided for, produce an annual sum of at least £600, available for and applicable to the purposes of the town, which before the separation of the town from the county by the Provisional Order Confirmation Act, 1873, would have gone into the general funds of the county.

For the last three years the average of the county cess, and of the rate under the Provisional Order Confirmation Act, 1873, is nearly the same, being at first 1s. 10d. in the pound. It was stated before me that it was the refusal of the Grand Jury of the county of Wexford to present for the making of main sewers in Wexford that caused the movement which resulted in obtaining the Provisional Order Wexford Confirmation Act, 1873. The costs of obtaining that order amounted to £39 5s. 2d. It was complained that that order has not gone far enough, because it has not transferred to the Corporation, but left with the Grand Jury of the county the power to assess compensation for malicious injuries to property and persons within the borough of Wexford, and in this the town has no representation.

The Corporation do not exercise any control or power over, or derive any profit from, the Port and Harbour of Wexford, which are under the control of the Wexford Harbour Commissioners, constituted under special statutes.

The Harbour Commissioners undertake the charge of lighting and keeping in repair the quays and the streets leading from the main streets to the quays. The Corporation are represented on the Board of Harbour Commissioners by two members, of whom one, the mayor, is an ex-officio member; the other is elected by the Corporation. Save as above mentioned the town is lighted, and the streets, &c., repaired, kept in order, and scavenged by the Corporation.

The Corporation have provided a public market, and have published by-laws in order to have the markets held there and not in the streets of the town. At present what is known as the Fowl Market is held in the streets of Wexford on every Wednesday and

WEXFORD.

Ex. 127-128.

Ex. 12.

Ex. 127-128, Town Clerk, Ex. 33-48.

Ex. 19-51, 62.

Ex. 32-33.

Appendix, Ex.

Ex. 64.

Ex. 63.

Mr. Walsh, Mayor, Ex. 602-624, Mr. O'Leary, Ex. 25.

Mr. Joseph Walsh, Mayor, Ex. 607, Mr. E. Hughes, Ex. 684.

Mr. O'Leary, Ex. 129 to 134, Mr. Joseph Walsh, Ex. 684 to 692, Ex. 19 to 128.

Ex. 140 to 152.

Ex. 153, 161, 163-168.

Wexford. Saturday in the forenoon. This new market, subject to a head-rent of £50 a year, was acquired for a sum of £400, borrowed by the Corporation, who have contracted to borrow for the completion of the market, from the Commissioners of Public Works in Ireland, the further sum of £1,000, which has not been as yet taken up. Of the £400, £60 has been paid off, and at present £340, the balance of it, constitutes the only capital debt of the Corporation. There is a registry of slaughter-houses, but no public slaughter-house. It is the duty of the town-sergeant to see that the slaughter-houses are kept clean.

There is not any registry of common lodging-houses. This is a matter that requires to be remedied.

The Corporation of Wexford are the urban sanitary authority, and appoint the usual sanitary officers. The sewerage of the town is quite insufficient. There are seven miles of streets and there are not two miles of these sewered. Since 1848 very little, if any, sewerage has been made. The Corporation have, however, now procured plans, estimates, and contracts, for making the required additional sewerage, and they have, and are trying to enforce the making of connecting drains from the houses to the main sewers.

The private accommodation in the greater part of the houses in Wexford was described as being very bad. The Corporation enforce the sanitary laws to the extent of causing nuisances to be removed, places cleansed, people prevented from keeping pigs or other animals in their houses; having houses disinfected and whitewashed and such like things, but very little has been done in the way of having privies or closets made in houses wanting them. A larger sanitary staff is required.

E. B. LAWLESS. (Seal.)

H. A. ROBINSON,
Acting as Secretary.

SLIGO.

Sligo.—The municipal government of Sligo, which is one of the ten municipal boroughs included in schedule A of 3 & 4 Vic., c. 103, has been, since the passing of the Sligo Borough Improvement Act of 1869 (33 & 34 Vic., c. 147), entirely in the hands of the Corporation acting under that statute, and the Act of 1840 (3 & 4 Vic., c. 103).

Prior to the passing of the Sligo Borough Improvement Act of 1869, the Corporation (consisting of six Aldermen and eighteen Town Councillors, from among whom the Mayor, who receives a salary of £120, is annually elected), administered only a 3d. borough rate, and the income arising from the rental of their small landed property amounting to about £76 per annum, but rates and cesses to the united average amount of about 1s. 6d. in the pound were levied each year by "the Town and Harbour Commissioners" and the Grand Jury.

The Town and Harbour Commissioners, who were constituted under the Town and Harbour Act of 1803 (43 Geo. III., c. 60), were by that Act elected for life, and invested with powers for paving, lighting, cleansing, watching, and improving the town, and for other purposes relative to its local management, with rating powers not exceeding 2s. in the pound, and with power to levy dues on vessels entering the port and harbour, and to cleanse, deepen, or otherwise improve the harbour. They did, it appears, usually levy a rate of 1s. 10d. in the pound for lighting and cleansing the town, and the Grand Jury, who sewered the town, and kept all the streets and roads within the municipal boundaries in repair, levied generally two cesses every year, varying from 1s. 4d. to 1s. 5d. each levy.

By the Act of 1869, the boundaries of the municipal borough, which previously embraced only the town of Sligo, consisting of about 407 acres, were made continuous with those of the Parliamentary borough, and of the wards thereof as defined for Poor Law purposes. The area comprised within the latter boundaries contains 3,000 acres, and has a rateable value of £18,109 8s.

The borough is still divided into three wards, as fixed by the Act of 1840, but since extended according to the old Parliamentary boundaries. These wards are tolerably equal, both in respect of rateable value, and the number of burgesses in each.

By the 149th section of the Act, the Corporation are empowered to levy a rate or rates not exceeding 5s. in the pound, including the old 3d. borough rate, as soon as they shall have entered into a *bona fide* contract, approved, as therein directed, for the construction

of the waterworks authorized by the Act; but until then, such rate is limited to 4s. 6d. in the pound, and all houses and buildings situated within the limits of the borough, as extended by this Act, and at a distance exceeding 200 yards from any gas-lamp, or exceeding 100 yards from any main pipe of the Corporation for supplying water, are, by the 147th section, declared liable to a rate of 2s. 6d. in the pound only, or one-half of the maximum which may be levied under this Act within the old municipal boundaries.

The entire rate last levied under this Act amounted to £3,540 4s. 1d.

The 168th section gives the Corporation borrowing powers, on security of the borough fund, to the extent of £50,000, of which £25,000 was made applicable for the purposes of waterworks only, and by the 173rd section the mortgage debt of £2,000 contracted by the Town and Harbour Act of 1803, was transferred to the Corporation, and made a charge upon the borough fund in addition to, and with priority over, any sums raised under the foregoing borrowing powers conferred by the Act.

The 37th section limits the period for the completion of the waterworks authorized by the Act to five years from its passing, upon the expiration of which all powers granted to the Corporation in relation thereto shall cease to be exercised, and the exercise of further powers conferred by the 126th section, enabling the Corporation to purchase all tolls, rents, fees, and other rights vested in Owen Wynne, esp., in relation to the fairs and markets within the borough, was by the same section restricted to the 1st July, 1872.

About a year after the passing of the Act, application was made to the Public Works Loan Commissioners for a loan of £35,000, with a view to establishing waterworks and public markets, &c., but the loan was not negotiated, the Public Works Loan Commissioners not being satisfied with the nature of the security, and in consequence no waterworks nor markets, the property of the Corporation, have been established, and the time having expired within which the Corporation could exercise their powers relative to the execution of the former, and the purchase of Mr. Wynne's interest in the latter, they are now applying to the Local Government Board for a provisional order to enlarge their powers, and extend the time for putting them in force.

They have, however, borrowed altogether on debentures since the passing of the Act, £11,568 18s., out of which they have paid off the mortgage debt of £2,000, transferred to them from the old Town and Harbour Commissioners, thereby saving some £18 a year interest; and they have applied the remainder partly to the payment of a portion of the costs of the Act of 1869—two-thirds of which was made payable out of the first moneys borrowed by the Corporation under the Act, and one-third out of the funds of the Harbour Board—and partly towards the cost of the new town hall, and in the discharge of arrears of salaries to their mayors, and other arrears which have arisen prior to and since the passing of the Act of 1869. Of the moneys thus borrowed, no less than £7,150 was received and brought into account in the year ending 29th September, 1875 (the last year of which the accounts have been audited); and in that year £720 was paid to defray the salaries of the mayors of Sligo for six of the years between 1868 and 1874, inclusive;* £118 13s. 4d. for collectors' poundage, including arrears of 1874; £932 3s. 1d. for repairs of streets and footways, including balance due in 1874; £179 17s. 3d. for lighting, also including arrears of 1874; £785 "to meet bills drawn on treasurer;" £75 8s. 10d., interest on bills and bank account; and £2,325 0s. 8d. towards the erection of the town hall, and various sums amounting together to £137 4s. 10d. for rent of site, interest on current bills, and other expenses connected therewith, leaving a balance in the bank on town hall account of only £2,415 2s. 4d. (See abstract of accounts in Appendix No. 17, page 398.)

It will be thus seen that a considerable amount of the capital borrowed has been illegally expended in discharge of debts previously incurred, which cannot be properly considered payable out of capital, whereas all moneys borrowed by the Corporation under this Act are, by the 169th section, directed to be "treated as capital," and carried to a separate account of the borough fund.

The other clauses of this Act of 1869 which should be briefly noticed are the 11th, by which all public streets, roads, bridges, &c., within the borough, other than quays, the property of the Harbour Commissioners, shall be repairable by the Corporation out of the borough fund; the 13th, which abolishes levying of county cess within the borough, but continues the liability to contribute to general county purposes upon

* I have since learned that one of the mayors during this period (Alderman Seelley) declined to accept his salary, and contributed £50 in addition towards the new town hall. Another gentleman, who was mayor in 1865 (Alderman Woods) also contributed the whole of his salary, and of the six mayors who received their salaries in 1875, all with one exception, appear to have contributed thereto, more or less handsomely, towards the erection of the town hall.

Grand Jury presentments, amounting last year to £881 5s., which are made a first charge upon the borough rate; and the 23rd and 24th, and two following sections, by which the main provisions of the Town and Harbour Act of 1803 are repealed, and the Harbour Commissioners (of whom the mayor of Sligo is to be *ex officio* one, and two others nominated by the Town Council), are incorporated.

Many of the powers conferred upon the Corporation by this Act, as we have already seen, have not been exercised within the time limited by the Act; and it is contended by those members of the Corporation who were opposed to the passing of the Act, that the interests of the borough have suffered materially from its adoption. A great deal of the evidence turned upon the sanitary condition of the town, and especially upon the shockingly polluted state of the river flowing through the town, arising from some of the sewers and a number of privies discharging directly into its course above the tideway, and at a point where many of the inhabitants draw their daily supplies of water.

A report from the two sanitary officers, drawing attention to this and to the danger arising therefrom to the public health, was laid before the Corporation last summer, but no action was taken upon it, the only reason alleged being that the Council "were more anxious to get another supply of water." It transpired, moreover, that in 1867 a representation was made to the Grand Jury by the sanitary committee of the Town Council of Sligo to the effect that the water of the river being "grossly and dangerously defiled by several sewers" (constructed by former Grand Juries) "discharging their contents into it," the Town Council trusted the Grand Jury would "perceive the urgent necessity that exists for prompt measures to counteract their noxious influence," and they proceeded to urge the construction of intercepting sewers with an outfall into the sea. It was contended that the Grand Jury were prepared to carry out this work, and were only prevented doing so by the passing of the Act of 1869, and evidence was adduced to show that Sir Robert Gore Booth, the then chairman of the Grand Jury of the county, bore testimony before the House of Commons, at the time the Bill was pending, that the presentments for these works had been approved by the Grand Jury. Tenders for two such sewers at £1,550 each were put in and opened by the Grand Jury, and although they were not accepted, apparently on some technical ground, there is fair ground for inferring that at least no such apathy would have been shown by the Grand Jury, had the responsibility remained with them, as has been exhibited by the Corporation since they became invested with the powers conferred by the Act of 1869.

It was represented by both the sanitary officers that there had been an outbreak of typhoid fever in the town for several weeks, but although this had not been reported to the sanitary committee of the Town Council by the sanitary officer in whose district it arose, it is impossible they could be in ignorance of the danger to health arising from the discharge of sewage matter into the river, to the effluvia from which one witness attributed the loss of three of his children.

The public water supply, irrespective of that drawn from the river, is in some instances contaminated with sewage, and pronounced by Dr. Cameron "dangerous to health." Two pumps at least have been condemned by him, but although one was for some time closed it appears to be now once more in use. Two other pumps were mentioned by Alderman Woods and by the sub-sanitary officer as utterly unfit for drinking purposes. It appears indeed marvellous that the health of the inhabitants is not more seriously and widely affected than it seems to have been by the want of pure water and the malarious condition of the river bed.

Good main sewers appear to have been made by the Grand Jury along all the principal streets several years ago, and the outfall for the greater part of them is below the tideway. Indeed but for the mistake committed in permitting the higher outfalls already dwelt upon, the town might be considered better provided with main sewerage than most in Ireland.

The subject which next occupied most of our attention, and which evidently created more interest in Sligo than any other at the time of our inquiry, arose out of the position occupied by one of the Aldermen in regard to the butter market.

Alderman Tighe (the Alderman in question) was, it seems, appointed weighmaster and butter taster by the Corporation of Sligo in 1867, when Mayor elect, with a view of trying the right of the Corporation to appoint, there being at that time a Mr. Clarke performing the duties of weighmaster and butter taster, appointed by Mr. Owen Wynne, whose father and grandfather had successively held the office which he (Mr. Wynne) claimed to be entitled to by hereditary right. The Wynne family were the old patrons of the borough, and, as we have already noticed, the right to hold fairs and markets, and to demand tolls therein, is still, and has been from a very early date vested in the representatives of that family. A direct appointment to the office of weighmaster appears, however, to have been made by the Corporation to the father of

Mr. Owen Wynne in 1843, and by the Provost and Burgesses of Sligo to his grandfather in 1808, and hence probably arose the decision of the Court of Queen's Bench in 1850, maintaining the right of the Right Hon. John Wynne, the father, to retain the office, whereas in 1868, upon the action brought by Alderman Tighe against the nominee of Mr. Owen Wynne, and tried at Galway, the question was decided against the latter, Mr. Owen Wynne's claim resting apparently solely upon that of hereditary right.

The point, however, now at issue between Alderman Tighe and those who think that the Corporation ought to receive the fees of the butter market for the benefit of the ratepayers is whether he is not equitably bound by the terms upon which he accepted the appointment, either to account for the fees he has hitherto received, or at least to surrender the office without compensation, with a view to a new appointment being made upon different terms as soon as he shall have indemnified himself and three other gentlemen out of the profits, for the advances made by them on behalf of the Corporation for the costs of the Improvement Bill of 1869, and the balance of the costs of the action against Mr. Clarke. At the time the Bill of 1869 was under the consideration of Parliament Alderman Tighe was examined by Mr. Rodwell, *v.r.*, before the Committee of the House of Lords on this question, and a letter addressed by the former to the Mayor and Corporation of Sligo, was then put in evidence by Mr. Rodwell. That letter was as follows:—

"Sligo, May 1st, 1868.

"To the Mayor, Aldermen, and Burgesses of Sligo.

"GENTLEMEN,—As it will not be in my power to attend in London to give evidence upon the Sligo Borough Improvement Bill, and to state to the Committee my perfect readiness to resign the office of weighmaster and taster of butter upon the passing of the Bill, so as to enable the Corporation to receive the profits for the benefit of the town, in aid of the borough fund to be provided by the Act, I now beg to state that I shall, and I undertake to resign that office upon payment by the Corporation of the sums of money which other members of the Council and I have expended in asserting the rights of the Corporation and proving its title to make the appointment, and the sums we have advanced as portions of the costs of the pending Bill. As the greater portion of the costs in the case of my action against Mr. Clarke have been awarded to me by the verdict of the jury, under the direction of the judge, I am informed that the amount to be charged on those profits will be very trifling.

"Your obedient servant,

"JAMES TIGHE."

Upon that letter being read to Alderman Tighe upon the present inquiry, he stated, in answer to questions put to him, that when he had received, either from the profits of the office, or from the Corporation, an amount sufficient to reimburse himself and his friends the costs he had been put to in asserting the right of the Corporation to the appointment, and the moneys he and they had advanced for promoting the Bill of 1869, he would be quite ready to resign the office, and that he would then render an account to the gentlemen to whom the money was due, but to no one else.

The following extracts from the minutes of the Corporation of the 27th of April last, will show the position of the question immediately before the present inquiry, and the course which some of the friends of Alderman Tighe in the Town Council were desirous of adopting, provided they could have obtained the approval of the Local Government Board, which, of course, that Board, in their reply, declined to grant, as "their approval would not render the transaction a legal one if not otherwise legal."

EXTRACTS FROM MINUTES OF THE CORPORATION OF SLIGO, April 27th, 1877.

"SUNNET—BUTTER MARKET.—REPORT OF COMMITTEE.

"Sligo, April 27th, 1877.

"In accordance with the resolution passed by the Council at last meeting, the Committee appointed to call on Mr. Tighe have done so, and submit to the Council the following report:—

"There is at present an outstanding debt of £450, a balance of a larger sum, for which the butter market was and is liable, the nearest approximation to the time it would take to pay that money would be four years, during which time Mr. Tighe calculates his interest at £250, or £63 10s. per annum.

"If the Corporation is prepared to offer Mr. Tighe that sum, we find that he would be willing to accept it.

"JAMES NELSON, Mayor.

"ALEXANDER GILMORE.

"JAMES DORRITY.

"W. A. WOODS.

"PAT. KEIGHROX."

"Resolved.—That the report of the Committee appointed to confer with Mr. Tighe as to the subject of the butter market be adopted, and that the sum of £700 be offered Mr. Tighe on condition of his handing over same to the Corporation, provided the Local Government Board approved of same." Moved by Alderman Magill, seconded by Councillor Duignan. Carried by seven votes against three votes."

"AN AMENDMENT.

"Moved by Alderman Middleton, seconded by Councillor Crawford.—That previous to arranging any bargain with Mr. Tighe, to facilitate him in resigning his appointment connected with the butter market, Mr. Tighe be

asked to furnish particulars and accounts of the full amount of receipts, perquisites, and emoluments of every sort received from the butter market since his appointment, also of the sums and expenditure paid out of such, and that until such account be furnished by Mr. Tighe, and approved of, no bargain be concluded with him.^{*} Lost by seven votes against three votes.^{*}

"The following protest was handed in:—

"I hereby protest against any agreement being made with Mr. Tighe relative to his resignation of the appointment he holds under the Corporation in connexion with the Sligo butter market until Mr. Tighe furnish to the Corporation a full account of all the revenue, perquisites, and all other receipts from the butter market, also all sums of money and other expenses paid out of such revenue, &c., and that no sum of money be paid to Mr. Tighe in connexion with the butter market.

"Wm. MIDDLETON.

"Sligo, 27th April, 1877.

"To the Corporation of Sligo."

Ev. 381, 392. An opinion of the present Master of the Rolls, when Attorney-General (see Appendix 17, page 389), was obtained just before the appointment of Alderman Tighe, and was to the effect that there was no condition attached to the office of weighmaster by the statute, and that when appointed he held the office for life, and although he considered that previous to appointment there might be a private arrangement made that he should resign under certain conditions, or that he should render an account of the fees to the Corporation, there was clearly nothing in the statute which could make such an arrangement legally binding on him.

Ev. 402-408. A memorial from several of the principal butter merchants of the town, complaining of the mode in which the butter market in Sligo is regulated, and of the conduct of the butter inspector, was tendered in evidence by Mr. Pollexfen, and will be found in the Appendix. (Appendix No. 17, page 389.)

The feud arising out of the Parliamentary contest over the Bill of 1869 has not yet died out, and exercises its influence upon almost every question, but Alderman Middleton and Alderman Kidd, who may be taken as representative members of the two parties in the Corporation—the one opposed to, the other promoters of, the Act then passed—although agreeing apparently upon no other point, both expressed their concurrence in this memorial.

Alderman Middleton drew attention to certain disallowances which had been made by Mr. Finlay, and to the circumstances under which a bill of exchange, which formed the principal item in these disallowances, had been given by the Finance Committee^{*} after their proper hour of meeting had expired, and he had left under the impression that no meeting would be held, there being no quorum present.

This was not, it seems, the first time that Alderman Middleton had occasion to complain of the irregular mode of transacting committee business, and owing to his remonstrances a resolution was passed that no meeting should for the future be held unless a quorum assemble within half an hour.

Ev. 80-93. The landed property vested in the Corporation of Sligo is very small, and consisted in 1833 of only 10½ acres, Irish, then producing £98 a year, Irish currency, and some cottages, then let at about £10. The present Corporation still hold this property, but in 1848 about 5½ statute acres were, under the authority of the Lord Lieutenant, appropriated for a public cemetery, leaving 34 statute acres available for letting, which are let in nine lots, on yearly tenancies, and yield a rent of £66 16s. 1d., the Poor Law valuation being £48 2s. Two of these small lots are let to members of the Corporation:—One to Alderman Tighe, containing 3a. 1n.; Poor Law valuation, £5 4s., and rent, £7 5s. 6d.; and the other to Alderman Woods, containing 6a. 1n. 10r.; Poor Law valuation, £9 15s., and rent, £14 13s. 6d. The cottages now yield a rent of £9 4s. 6d., English currency.

Ev. 93. The lots were let originally in 1849 by advertisement, and the present tenants are all either the persons to whom they were then let, or tenants substituted by the original lessees, with the consent of the Corporation. The land was revalued in 1855, and the rent raised in consequence from an average of £3 5s. per Irish acre, to £8 13s. 6d. The Poor Law valuation of the land allotted to the cemetery is £11 7s.

Ev. 65-70. The lots were let originally in 1849 by advertisement, and the present tenants are all either the persons to whom they were then let, or tenants substituted by the original lessees, with the consent of the Corporation. The land was revalued in 1855, and the rent raised in consequence from an average of £3 5s. per Irish acre, to £8 13s. 6d. The Poor Law valuation of the land allotted to the cemetery is £11 7s.

Ev. 71-74. H. A. ROXTON, U. CORRETT. (Seal.)
Acting as Secretary.

* The resolution authorizing the acceptance of this bill of exchange is here extracted from the minutes of the Finance Committee, as follows:—

"RESOLVED,—That having examined Mr. Gillmer's bill, amount, £148 3s. 6d., for printing, &c., in relation to the Borough Improvement Bill, when presented through Parliament, we direct our Treasurer accept a bill for the amount of said account at four months.

"Passed.

JAMES KERR.

^{*} Extract from Minutes of Finance and Works Committee, November 16th, 1870."

^{*} 21st October, 1876.

GALWAY.

GALWAY.

By the Municipal Corporations Act (3 and 4 Vic., c. 109) the old body corporate of the town and county of the town of Galway was dissolved, and all the real and personal estate of such body corporate, and the advowsons of St. Nicholas' Collegiate Church were vested in Commissioners appointed under the 6 and 7 Wm. IV., c. 117, which was the first special Act for Galway. By this Act certain charter tolls known as "Tolls Thorough" were abolished, and other tolls of the same nature henceforth known as "Ingate" and "Outgate" tolls were substituted and vested in the Commissioners created by this Act, and their successors for ever—to be applied in the first instance, to defraying the expense of cleansing, lighting, and watching the said town; and, in the event of a surplus, in watering the same, and erecting fountains therein, and a watch-house, shambles, and public cranes and weighing places, and generally for the benefit and improvement of the said town, within one mile of St. Nicholas' Church.

In the year 1853, at the instance of these Commissioners, "The Galway Town Improvement Act" (16 and 17 Vic., cap. 200) was passed, which Act incorporated the Commissioners Clauses Act, and Towns Improvement Clauses Act, and other general municipal Acts of 1847; and after confirming and continuing the schedule of tolls annexed to the preceding special Act of 1836, and directing that they should form part of the improvement fund thereafter mentioned, fixed certain tolls, customs, rents, and stallages for the markets and weigh-houses, which are set out in the Schedule D of this Act (1853). By this Act the area over which the Commissioners were to have jurisdiction was enlarged to a radius of two miles from the church of St. Nicholas; and for the purpose of electing Commissioners under the said Act the town was divided into four wards, for each of which six Commissioners were to be elected, and incorporated as the "Galway Town Improvement Commissioners," which body constitutes the present municipal authority of the town.

The 9th and 10th sections of this, the governing statute, fixed the qualifications for Town Commissioners and electors.

The former who are elected for three years must be residents within the limits of the Act, and be either rated to the relief of the poor within such limits, upon a rateable value of £20 and upwards, and have paid all poor-rates due in respect thereof, or must be possessed of rents, or profits of lands within the said limits, of the annual value of £20 or upwards, and be registered as Parliamentary voters in respect of same.

Electors must be either rated to the relief of the poor within the same limits in the annual sum of £8, and be upon the register of Parliamentary voters for the borough, or they must (vide 16th & 17th Vic., c. 200,) possess the second qualification—that in respect of property—for Commissioners. They are thus brought under the 24th section of the "Commissioners Clauses Act" (10th Vic., c. 16), incorporated herewith, which enacts that—

"When by the Special Act the owners of property and ratepayers are entitled to vote in the election of Commissioners, and no mode of voting is prescribed, every such owner and ratepayer shall have the number and proportion of votes according to the scale therein mentioned."

i.e. one vote in respect of property rated up to £50; two between £50 and £100; three between £100 and £150; four between £150 and £200; five between £200 and £250, and six if it amount to or exceed £250.

This is the only town we have visited in the course of our inquiries under the present Commission, in which any system of plural voting for municipal elections is in force.

The Act of 1858, vested in the Commissioners to be elected under that Act, all property, &c., to which the Commissioners under the Act of 1836 were entitled, and rendered the former liable for all debts and engagements contracted by the former Commissioners under the last named Act. By the 20th section, borrowing powers were conferred on the new Commissioners to the extent of £40,000, and the Commissioners were empowered to pave, drain, watch, cleanse, and light the town, and to provide a park or place of public recreation; to make new streets and widen others therein described, to construct waterworks according to deposited plans; to erect toll-houses and toll-gates; to acquire lands for new markets and provide market places; and to erect slaughter-houses, &c.; and by the 69th section of the Act, they were further empowered to levy a 1s. improvement rate, to be applied (among other things) in defraying the expenses incident to the Act, and in making streets and sewers.

Until last year, when the Commissioners obtained a loan from the Public Works Loan Commissioners of £8,000 for sewerage works upon the security of this rate, no

Mr. J. Redington,
Esq.

FIRST SPECIAL
ACT FOR
GALWAY (3 & 4
Vic., IV., cap.
117)

Mr. Redington,
Esq.

SECOND SPECIAL
ACT FOR
GALWAY
TOWNS
IMPROVEMENT
ACT (16 & 17
Vic., cap. 200)
Mr. Redington,
Esq.

Esq.

Esq.

Esq.

Esq.

Esq.

"COMMISSIONERS
CLAUSES
ACT," 10 Vic.,
c. 16, sec. 24.

"GALWAY
TOWNS
IMPROVEMENT
ACT," 1858,
continued.

Mr. Redington,
Esq.

Esq.

Galway.
Mr. Redington,
Ev. 14-21.
Ev. 22.
Ev. 123, 124,
125.
Mr. S. N.
Somerville,
Ev. 408, 417,
Mr. Redington,
Ev. 25-30.
Ev. 156.

such rate was ever levied, nor any part of the £40,000 taken up which they were empowered to borrow, nor were any of the works contemplated by this Improvement Act carried out, or even commenced, with the exception of providing a toll-house and a public slaughter-house, the latter of which is still in such an unfinished condition that it cannot be fully or properly used.

Considerable sewerage works are now in course of construction, and will be, it is hoped, completed for less than £8,000, which the Public Works Loan Commissioners have agreed, if necessary, to advance, and of which a portion only has been as yet taken up.

Ev. 18-20.
"THE GALWAY
WATER ACT,
1861."

In 1853 the Town Commissioners, not having availed themselves of their powers under the Act of 1853 to purchase lands and construct waterworks, obtained another Local Act (26 & 27 Vic., cap. 162), authorizing them to take water from the river Corrib, and to construct waterworks, &c., and to levy a public water rate of 3d. and a domestic water rate of 10d. in the pound within the municipal limits; and by the same Act they were empowered to borrow on mortgage of the water rates £15,000, and were required to erect not less than six public fountains within the town. These waterworks and the six public fountains have been erected and a good supply of water obtained; and in 1875 a loan of £15,000 was obtained from the Public Works Loan Commissioners, repayable, principal and interest by an annual payment of £5 8s. 8d. per cent. for thirty years, when the debt will be completely extinguished.

Mr. Redington,
Ev. 223-224.
Ev. 28, 102.
Ev. 103.

With this they have paid off mortgages, at 5 per cent., amounting to £13,531 0s. 3d., which were contracted for the original construction of the works and the incidental expenses.

Ev. 28-30.

For some time prior to the year 1874, the whole maintenance, repairs, and cleansing of the streets of the town, had been suffered by the Town Commissioners to devolve upon the Grand Jury of the county of the town, who, by degrees, took up and presented for portions of the streets, until the whole were presented for by them. In the spring of that year the judge of assize (Mr. Justice Fitzgerald), expressed an opinion, which was confirmed by a decision of the Court of Queen's Bench on the 9th of May, 1874, that the Grand Jury could not legally grant presentments for streets and roads within the jurisdiction of the Town Commissioners, who then, finding themselves without funds for the necessary repairs, applied to the Local Government Board for a Provisional Order for rating powers, to the extent of 2s. in the pound, and in the meantime, obtained advances from their treasurer (the bank), for their immediate necessities. For these advances their treasurer charged interest amounting to £19 12s. 8d., which was disallowed by the auditor.

Ev. 28-30.

Ev. 67-68.

"KINGSTOWN AND GALWAY
PROVISIONAL
ORDERS
CONFIRMATION
ACT, 1875."
Mr. Redington,
Ev. 24, 30.
Ev. 154.

The "Kingstown and Galway Provisional Orders Confirmation Act" of 1875 empowered the Commissioners to levy a 2s. rate, to be called "The Paving and Repairing Rate;" and the Commissioners have since, under this authority, levied two rates of 10d. in the pound each; but on the 29th September last, at which time the second of them had not been wholly collected, they were still in debt to their treasurer £653 6s. 8d. upon this "the streets and roads account" [see Abstract of Accounts, Appendix No. 18, page 391.]

Ev. 246.

One instalment of the £15,000 loan of 1875 upon waterworks account, amounting to £328 4s. 7d., was paid prior to the 29th September last, and there was then a balance of £461 8s. 7d. to the credit of this account.

Ev. 227.

Ev. 93.

Ev. 284, 284.

The Commissioners also keep a separate account of their sewerage and sanitary expenditure, which, at the same date, showed a balance in favour of the Commissioners, of £36 19s. 7d. out of the first instalment (£500), of the loan already referred to, which they had contracted for sewerage purposes; but it should be noted that the salaries of the sanitary officers, and other payments not properly chargeable to capital, were defrayed out of this loan, and only £241 1s. 9d. was expended during the year upon the sewerage plans and works.

Ev. 133-137.

The remaining account kept by the Town Commissioners, and not hitherto noticed, is (No. 1) the principal account, consisting of the tolls and customs, and the petty sessional and other fines, which, previous to their levying their first rate in 1875-76, formed the Commissioners' only sources of income.

Ev. 284, 284.

These tolls, which in 1833, when the Municipal Corporations Commissioners made their report upon Galway, were let at £1,260 per annum, were, as already mentioned, substantially renewed by the Act of 1856, and subsequently in 1853, as "ingate and outgate customs," and shortly prior to the repeal of the Corn Laws they had risen to about £2,000 a year. There was then a rapid decline in the amount, but during the last five years they have again risen from £1,086 9s. 9d. in 1872 to £1,490 12s. 5d. in 1876.

Ev. 284, 284.

These tolls (which do not include the fees on weighing, &c., set out in schedule D of the Act of 1853) became mortgaged to the gas company, which was formed in Galway in

1837, under circumstances which were not very clearly explained, but of which the best explanation obtainable will be found in the evidence of Mr. James Davis, who has been a Town Commissioner since 1840, and a Receiver was appointed under an Order of the Court of Chancery, hearing date (as I found subsequently) the 3rd of January, 1862, who, after deducting from the gross receipts his own salary of £60 a year, and the wages of his sub-collectors, pays five-sixths of the balance to the gas company, and the remaining one-sixth to the Commissioners. In the form in which the accounts are kept it will be seen (*vide* Abstract, No. 1 Account, Appendix No. 13, page 393), that the Commissioners debit themselves with the gross receipts, and charge as expenditure the payments to the gas company, and the Receiver, collectors, &c. No balance appears to have been struck or arrived at upon any account taken between the Commissioners and the gas company since the 1st of October, 1862, when it was agreed upon both sides that the sum of £3,315 13s. 7d. should be taken as the proper amount then due.

The five-sixths paid to the gas company was intended to be applied in the first instance to pay for the current lighting, and then to pay the interest, at four per cent., on the mortgage to the company, and the surplus, if any, was to go towards the liquidation of the capital debt. No balance having been struck for eight years there is reason to fear that a serious difference now exists between that shown by the Commissioners' books and that upon the books of the gas company. This was noticed by the Local Government auditor at some length in his last report, and Mr. Redington says that he believes the gas company would now claim about £3,400 as the balance due to them, whereas by the Commissioners' books it would appear to be only £1,610 13s. 11d.

It is obviously very desirable that the correct amount should be ascertained with the least possible delay, and the debt wiped off, and the auditor suggests that the question of amount (which, it is believed, arises upon the proper construction to be placed on the language of the Chancery Order in regard to whether interest is payable not only on the original debt, but also upon the additions thereto from time to time accruing), "could be probably best decided by a statement of facts being laid before the Receiver Master. The present Receiver," he goes on to say, "though some years in office, has never submitted an account to the Master."

In 1875 the Commissioners actually got a second Provisional Order, authorizing them to raise £3,000 to pay off the gas debt, but they have not yet borrowed this money, their application to the Loan Commissioners having been, it seems, rejected on the ground that "they were not authorized to grant the money for such purposes."

The total receipts last year upon No. 1 Account, including a balance brought forward of £31 13s., amounted to £1,690 7s. 6d., and the account shows a balance in hand on the 29th of September last of £124 6s. 1d., which, with the balances already noticed to the credit of the waterworks and the sewerage accounts, nearly counterbalances the debt owing at the same date upon the streets and roads account.

The municipal area of Galway comprises a radius of two miles beyond St. Nicholas' Church, while the area of the county of the town, which is contemporaneous with the Parliamentary borough, takes in an outer radius of two miles further, the Church of St. Nicholas being the common centre. In consequence of the maintenance of the streets and roads within the municipal boundary being now wholly cast upon the Town Commissioners, the ratepayers in the outer circle have to pay a larger cess for the maintenance of their roads than they were formerly liable to, when the property within the municipal area contributed to the roads throughout the county of the town; and it appears to be generally felt that some further legislation has become necessary by which the outer circle should be relieved, and the cost of a double staff of officers avoided.

The Chairman of the Town Commissioners, Captain O'Hara, has consequently, with a view to its being laid before the Select Committee on Local Taxation, prepared a report on this subject, suggesting four different arrangements. Captain O'Hara, who was unable to appear before us in consequence of accident, wished it to be understood that this report embodies the greater portion of the evidence he would have tendered if present, and wished me to submit it in extenso, which I have here done, omitting only some preliminary matters already noticed:—

"The borough at the present time (1875), for fiscal purposes (maintenance of roads, &c.), comprises two distinct districts—one described by an inner circle of two miles radius from the Church of St. Nicholas; the other a two mile circle outside this, and nearly described by a radius of four miles from the Church of St. Nicholas.

"No. 1, or inner circle of two miles, has a valuation for rating of £25,160, and the actual cost of maintaining the roads in this area and the streets of the town amounts to about £1,000.

"Staff Employed—Secretary, town surveyor, and town steward.

"The rate required for £1,000 on the above valuation—9½d. in the pound.

GALWAY.

By 23-53.
Mr. James Davis,
By 445-491.
Mr. Redington,
By 25.
By 26, 30.
By 45-53.

By 51, 52.

By 41.

By 43-45.

By 42-43.

By 44.

By 167.

By 262.

By 257-263.

By 70.

By 71, 72.

Mr. Reeves,
By 241.

By 31-32.

Rateable valuation of	£	s.	d.
Add to the Clare,	2,351	8	0
	46,196	1	0
Amalgamated value,	46,317	9	0

*Grand Jury Case, Clare, spring levy of 1876, was struck at 10½d. per £1. Double for one year, say 1s. 9½ per £1.

PRESENTMENTS FOR HALF-YEAR.

Spring Assize, 1876,	£	s.	d.
Double for whole year, say	2,750	4	8
Add cost of maintenance of roads transferred from borough,	4,352	3	0
	246	5	8
Total for presentment,	4,498	13	6

* This would be met by a rate of 1s. 10½d. on the amalgamated valuation—being a loss to the barony of Clare of 1d. in the pound.

* That portion of the outer two mile circle to be thrown into the barony of Dunkellin comprises the townlands of—part of Murreugh, Martin Park, part of Rahylin Glebe, part of Ballylonsmore, Doughiska, Carraghena, Roscom, having a—

Rateable valuation of	£	s.	d.
Add to the Dunkellin,	1,437	15	0
	27,844	16	0
Amalgamated value,	32,564	11	0

* Grand Jury Case, spring levy of 1876, for Dunkellin, was struck at 9½d. per £1. Double for a year, say 1s. 6½d. per £1.

PRESENTMENTS FOR HALF-YEAR.

Spring Assize, 1876,	£	s.	d.
Double for a year, say	1,651	3	9
Add cost of maintenance of roads transferred from borough,	2,368	4	4
	130	17	4
Total for presentment,	2,393	1	6

This would be met by a rate of 1s. 6½d. on the amalgamated valuation, being a gain of ½d. per £1 to the barony.

* By this arrangement all ratepayers in the outer two mile circle would substitute contribution to the imperative presentments of the county-at-large for their obligations, as at present to contribute to those of the borough and the rate as there in Moycullen for maintenance of roads and all presentments would be about 2s. 3½d. instead of 3s. 7d., at which it is at present. In Clare it would be about 1s. 10½d. instead of 3s. 7d.; Dunkellin, 1s. 6½d.; neither loss nor gain to Moycullen barony; a loss of one penny per £1 to Clare; a gain of ½d. per £1 to Dunkellin.

* This arrangement would doubtless be a great boon to the ratepayers of the outer two mile circle, but would impose the share they had hitherto paid of imperative presentments of the borough, amounting to about £450, on the ratepayers of the inner circle, or about 4d. in the pound, added to the present rate.

* The Grand Jury would still continue to discharge the criminal business.

ARRANGEMENT No. 3.

* To abolish the County of the Town Grand Jury, both as to its criminal as well as fiscal jurisdiction, and to extend the free wards of the present municipal area to the limits of the borough, or four mile radius from the Collegiate Church of St. Nicholas; and similarly to extend the jurisdiction of the Town Commissioners for all purposes, except the criminal business for Judges of Assize, which could be taken up by the Grand Jury of the County, with tithing, if any extra tithings, and with much saving to the ratepayers of the borough.

* By this, as regards taxation, the ratepayers of the outer circle would contribute to all borough taxes, the rateable valuation of which is £32,684.

By Cost of Maintenance of Roads,	£	s.	d.
Imperative Presentments,	1,700	0	0
	2,393	0	6
Sewerage Work,	300	0	0
Annual Charge—Total,	4,393	0	6

* This £4,390 on the valuation, would be equivalent at present to a rate of about 2s. 8½d. in the pound for all purposes, but would on the falling in of the superannuation allowances, consequent on the abolition of the Grand Jury, be relieved by the salaries of the Grand Jury officers, &c., namely, about £330, equivalent to a rate of 3½d. in the pound.

There would then be real rate at . . . 1 1 | Imperative presentment rate at . . . 1 2 | Sewerage rate, 6 2½
or about 2s. 5½d. for whole year for all purposes; a considerable reduction on present rates, in which ratepayers of the outer two mile circle would participate.

* Occupiers would under this arrangement be relieved of half the rate, as a relief for relief of poor—a change which will naturally be opposed by owners of property, who have let their lands without anticipating, or taking into consideration in the rents at which the lands are let, such a radical alteration; and who may not, on other grounds, desire to see such sudden and extended powers given to the Commissioners.

* There is yet another arrangement which, with the foregoing (No. 3), would necessitate the obtaining, by the Commissioners, of powers to levy rates over the borough area, to meet the so-called imperative presentments, or part of them, which are now presented for by the Grand Jury.

ARRANGEMENT No. 4.

* To abolish the Grand Jury of the county of the town both as to its criminal and fiscal jurisdiction, and, as in No. 3 Arrangement, absorb the portions of outer two mile circle with the baronies on which they abut, namely—Moycullen, Clare, and Dunkellin.

* The effect of this would be to place the whole of the borough, for fiscal purposes as well as criminal, in the hands of the Grand Jury of the county, but with a charge on the Town Commissioners for superannuation allowances to officers of the county of the town Grand Jury, whose offices are by this arrangement abolished.

* All other imperative presentments hitherto made by the county of the town Grand Jury become a charge on the county at large, the municipal area contributing its quota on the valuation of £24,140.

GALWAY. "This would, by centralizing the management, effect much economy, and relieve ratepayers over the whole borough."

"The Town Commissioners would have to obtain power to levy a rate for the imperative requirements."

"The committee have merely laid their views before the Commissioners to enable them to decide by the vote of the majority of the board which, if any, of these arrangements they will adopt, and will recommend to the Select Committee of the House of Commons on 'Local Taxation' (Ireland)."

Ex. 23. No direct preference, it will be seen, is expressed by Captain O'Hara and the Committee appointed with him in the preparation of the foregoing report in favour of any one of the four schemes embodied therein; but upon the discussion of the report by the Town Commissioners, arrangement No. 3 was finally adopted by a majority of nine to two; and the chairman was requested on behalf of the Commissioners to give evidence on the subject before the Select Committee of the House of Commons.

Mr. J. A. Brown. who owns property within the outer circle, and **Mr. Francis Lorenzo Comyn**, a large landowner in the county, and also within that circle, came forward to express their opinions on these suggested arrangements, the subject being one which creates great interest both in the town and neighbourhood; and **Mr. Comyn** expressed to me afterwards his hope that he might have an opportunity of being examined by the Select Committee. Both these gentlemen, it will be seen, object very decidedly to No. 3 or any arrangement by which the municipal and parliamentary boundaries would be made contemporaneous, and the property within the outer circle thus made liable to the municipal taxation; and both give as reasons for the unfairness of any such proposal the purely rural character of the outer district and its residents, and the difficulty there would be in extending to that district any compensating benefits from improved sewerage or water supply.

Mr. Browne, indeed, objected to all the four proposals, and was of opinion that a sufficient relief to the ratepayers in the outer circle would be found by throwing upon the whole parliamentary area the entire salary of £100, of which £95 is now contributed by the outer circle only, towards the salary of the county surveyor, who acts for both the county and the county of the town. The remaining £5 is a charge upon the municipal funds, and by direction of the last judge of assize at Galway is apportioned by the Grand Jury upon the municipal borough. The Town Commissioners have, it should be observed, since the decision of the Court of Queen's Bench in 1874, appointed a borough surveyor at a salary of £50 a year, so that one result of the present state of things is to multiply officers, whereas a single staff might probably, under a different arrangement, well suffice for most of the duties imposed upon the Town Commissioners and the Grand Jury of the county of the town.

Arrangement No. 4 would effect an economy in this respect equally with No. 3 by entirely abolishing the Grand Jury of the county of the town, and this would seem to be the arrangement which most commends itself to **Mr. Comyn**, who would prefer the adoption of either that or No. 2 arrangement.

The only remaining matter to which it appears necessary to advert specially in this report is the sanitary state of the town of Galway, which certainly exhibits some of the worst features which have yet presented themselves to our notice, and upon which the whole evidence of the **Rev. Peter Kiernan**, one of the Roman Catholic curates of the town, merits very careful attention. This gentleman's statements were made most dispassionately, and with an evident absence of all sensational exaggeration, and there can be no doubt he was simply actuated by a strong sense of duty in coming forward to detail the revolting condition of at least a very large proportion of the dwellings of the poorer classes in the town. These statements were fully corroborated by **Dr. Clayton**, the sanitary officer of the district in which **Mr. Kiernan** resides, and even by **Mr. Hynes**, the sub-sanitary officer, to whose negligence and apparent indifference the continuance of the evil condition of these dwellings must be, in at least some measure, attributed. At the same time it is but fair to say that the habit of keeping pigs and other animals in the very same rooms in which these poor people live and sleep, appears to have become so ingrained in their very nature, as to present great difficulties in the way of a far more active officer. For instance, **Dr. Greely**, the other sanitary officer, said—"To my knowledge, when the sanitary officer goes to the house the pig is hunted out, and returns as soon as the officer is gone."

One quotation from **Mr. Kiernan's** evidence will suffice to illustrate the state of things with which sanitary reformers have to contend in Galway:—

"Do they keep pigs in their houses here to a very large extent?—Yes. At present the pig season is over, but when the pigs are in season there is scarcely a house in the poorer part of Oranmore in which pigs are not kept in the house. In some cases horses are kept with them, in some cases, donkeys. In one house near the club-house, there is the father, the mother, the three children, and a horse all living in one house. The consequence is, that in that house I have had the father, the mother, and the children sick over and over again."

"Do the father, the mother, the three children, and the horse, all occupy the same room?—They sleep and live in the one room, and, of course, all the horse's tacklings and harness are kept there. During the day the bed which the horse uses at night is gathered up, and of course the effluvia of the place is dreadful. The bed on which the horse lies is as contiguous to the bed on which the parents lie as that book is to the desk there. And that has been going on for years. I give this case as an example; there are many others. *See also* *discusses*. In Claddagh the pigs are all kept under the bed. In another house, in the same locality, there are three lasses, a donkey, two pigs, a grandfather—an old man—three children, a husband and a wife. There are two rooms in that house, but the whole house is only about twelve feet by twenty, I think. And this has been over and over again in fever."

"Are there many similar instances?—Oh, yes; in the suburbs of Oranmore there are pigs kept up in the very garrets."

The inspection and regulation of the lodging-houses is moreover a perfect farce. It is the duty of the sub-sanitary officer to visit and report on them, and to distribute copies of the by-laws, but no copy has been ever seen in any of these lodging-houses; and the executive sanitary officer said it was known to every Commissioner in Galway that no notice was taken of the regulations of the by-laws. Some of the old and dilapidated town-houses of the county families which are now occupied as tenement houses, and one at least of which belonged to a Commissioner, are shockingly crowded and devoid every convenience for decency. In some of these houses animals are slaughtered, and every butcher in the town appears to kill sheep in his own house.

Dr. Brodie, the resident Local Government Board inspector of the district, also volunteered to give evidence as to the "glaring nuisances which were allowed to pass unabated in the most public parts of the town." He said he had had occasion to report the sub-sanitary officer for culpable neglect of duty, in consequence of which he was called upon to send in his resignation, but the Commissioners had asked the Local Government Board to give him a further trial. Dr. Brodie and Mr. Kiernan both gave it as their opinion that the majority of the Commissioners were favourably disposed towards the abatement of these nuisances, and a more vigorous execution of the Sanitary Acts, but that individual members were opposed to this.

U. CORBETT. (Seal.)

H. A. ROBINSON,
Acting as Secretary.

CASHEL.

CASHEL, which had been previously under the Act of 9 Geo. IV., c. 82, adopted in 1855 the Towns Improvement Act of 1854. The number of the Town Commissioners is eighteen, and all are duly qualified save one, who was elected at the last election without having been twelve months a rated occupier. The municipal is less than the old parliamentary area, and portions of the Commissioners' lands, hereinafter mentioned, are not within the municipal, although they are within the old parliamentary boundary. The valuation of the town was not given. The Town Clerk stated he could not furnish it, as no rate had been ever struck, nor could he give a return of the rated occupiers. The entire income of the Town Commissioners is derived from rents of land and house property—from tolls of the butter market—and from the dog tax, and some small miscellaneous receipts. Part of the property is subject to a debt of £1,000, raised on mortgage twenty years ago—for what purpose I was unable to ascertain further than that it was to pay off debts contracted by the old Corporation—and the present Town Clerk stated he believed that the sanction of the Lords of the Treasury had been obtained for this loan, without any provision for its liquidation by a sinking fund. The present mortgagee is Mr. Cornelius Hanly, the agent or receiver of the rents, &c., of the Corporation. The Town Commissioners own gas works, which were erected out of the corporate funds hereinafter mentioned, and the town is lighted by them. It is difficult to know what the gas works really cost. At first the Town Clerk stated that they cost only £1,992, but he afterwards stated that the contractor must have been paid £3,000, as that was the amount of the contract, and that in addition £95 was paid for the site and superintendence of the erection of the works, but the payment of more than £1,992 to the contractor cannot be traced in the books. The Commissioners worked the concern up to the year 1853, but whether at a profit or not did not appear. In 1853 they leased them to a Mr. Ryan, a resident of Cashel, for fourteen years, rent free, on his engaging to supply private consumers with gas at 6s. 3d. per 1,000 cubic feet, and the public lamps at 6s. 3d. a month each, and he was to keep everything in repair. That lease

GALWAY.

Mr. Kiernan,
Ev. 345-357,
359-363.

Dr. Clayton
and Mr. Stock,
Ev. 611, 612.
Mr. Kiernan,
Ev. 346, 347.
Mr. Hyman,
Ev. 451-454.
Ev. 455-460.
Dr. Brodie,
Ev. 373-375.

Ev. 370.

Mr. Kiernan,
Ev. 373, 374.

CASHEL.

Mr. Conley.

Ev. 4-6.

Ev. 12.

Ev. 2-15-71.

Ev. 21-27.

Ev. 29-30.

Ev. 31.

Ev. 334-335.

Ev. 385-392.

- expired in 1867, and the then Commissioners made him a new letting for three years on the same terms. This expired in 1870, and they again let them for three years more on the same terms; but when the price of coals advanced he abandoned the works in September, 1872, in very bad order, when the Commissioners took them up and worked them by a manager, Mr. Anderson, and it then cost them a considerable sum to put the works into repair. It was stated that in the first year after doing so they realised a profit of about £40 by raising the price of gas, but it was not ascertained if any profit had been made in the subsequent years. Mr. Anderson resigned the management about last August, and the Commissioners then appointed the same Mr. Ryan as their manager. When Mr. Ryan's lease was out in 1867 the premises were in bad repair, and he promised to repair them, and they were in a similar condition in 1870, when the third letting was made to him, without the Commissioners seeing that he had put them in repair according to his agreement of 1867. He must, however, have repaired them to some extent in 1867, as it was stated that he could not have made gas in the state the concerns were in then without doing something to them. It appears that the Commissioners did not require Ryan to execute any lease, or give any security to carry out the contracts, or to keep the premises in repair; and being a person of limited means, they could not recover from him the cost of the necessary works to put the premises into order. The water supply is also insufficient, at least for some periods each year. By the scheme hereinafter mentioned, £1,000 was to have been expended in supplying the town with water. £238 9s. 7d. of this was laid out in 1843, but in what manner was not stated, and no further expenditure was made in procuring a supply until the year 1859, when a tank was constructed by a Mr. Fahy, an architect, who was closely related to four of the then Commissioners. The making of it was advertised for, and Mr. Fahy alone put in a tender, but he was not required to sign any contract or give any securities, though his doing so was provided for by the specification. The tank was utterly useless, as was also a wall which was built round it, at a cost of about £317 10s. for both. It was stated that the tank leaked, because the plan prepared was not a proper one, but that Mr. Fahy had executed his work according to the contract. He also afterwards laid pipes, at a cost of £220 10s. 3d., without signing any contract or giving security as required by the specification, and these turned out to be a failure. Mr. Fahy, however, was paid, on the certificate of the engineer, that he had performed his contract. A sum of £790 has since been expended in laying proper iron pipes, under the superintendence of a skilled engineer; and by an expenditure of about £900 on a proper reservoir, it is believed that a proper and sufficient supply of water can be obtained for all purposes. This sum the Commissioners expect to be shortly able to expend out of the balance which they hope to have to their credit on foot of their account for the year ending May, 1877, and by money which they expect to get from the accumulation of the Loan Fund hereinafter mentioned. The fact remains, however, that the trusts imposed on the Commissioners of the day to lay out a sum of £1,000 under the scheme of 1843, hereinafter mentioned, has not been effectually carried out up to the present; and it now appears that by the neglect of some person or persons the two sums of £317 10s. and £220 10s. 3d. above mentioned have been uselessly paid out of the funds in the hands of the Commissioners for the time being who paid them.
- The Town Commissioners are not an urban sanitary authority, and the condition of the town as to its sanitary arrangements is not by any means satisfactory. The Commissioners complain of the neglect of their duty by the rural sanitary authority so far as relates to the town. A kennel of hounds, which is kept in the centre of the town, causes much annoyance to those who live in the immediate locality. Complaints have been made as to this, but without any effect.
- The sewerage of the town also appears to stand much in need of more attention and supervision, and although several nuisances exist in the town, in addition to that mentioned above, nothing has been done by the sanitary authorities to have them abated.
- There are 750 houses in the town, about 200 of which the Town Clerk stated were inhabited by human beings and animals at the same time, while the street superintendent and inspector stated that there were about fifty houses in which the people kept horses and asses with themselves. This, however, was denied by the consulting sanitary officer of the rural authority. The Commissioners before 1874 used to have the houses of the poor disinfected and lime-washed, but that has not been since done by the Guardians. Fairs are held in the town, but no tolls are now received therefrom. At page 471 of the Report of the Commissioners for Municipal Corporations in Ireland (1835), it is stated that the Archbishop had the power of holding two fairs, and that tolls and customs were formerly charged there; but that the then Archbishop, on a representation made to him of the disadvantage to the public from the collection of those tolls and customs, discontinued them, and that the fairs had increased considerably

from that time with advantage to the public. These tolls, however, appear to have afterwards, in some manner that I could not ascertain, become vested in Mr. Avery Jordan, Town Clerk, who collected them for his own benefit with other tolls belonging to the Corporation which were also vested in him, but how I could not discover.

The property vested in the Commissioners is very considerable, amounting to about 2,270 Irish acres of land, besides houses and other premises in the town. The principal portion of the landed property consists of 1,548a. 3a. 5p. Irish, equal to 2,508a. 3a. 3p. statute acres of land, called the Comyn or commons land. It appears from the Report of the Municipal Inquiry Commissioners in 1835 that 1,264a. 1k. 14p. of these commons lands had been let to a Mr. Bolton on a 99 years' lease, which expired in the year 1830, at a rent of £87 6s. 6d. a year, and for which he had paid a fine of £200, and that on the 30th September in that year a new lease of these lands, with an additional parcel, was made by the then Corporation to Richard Pennefather, for a term of 99 years, at a rent of £93 11s. 9d. a year late currency. The particulars connected with the making of this lease are fully stated at page 469 of the Report above alluded to; and it will be seen that, although the quantity of land was stated in the lease to contain only 1,314a. 3a. 34p. Irish, they were found to contain in measurement 1,548a. 3a. 5p. Irish. The information mentioned in that Report was not heard before the Lord Chancellor of Ireland until the 19th January, 1843, when he made a decree setting aside the lease, and made a reference to the late Master Litton to take an account of the rents and profits received by the Defendant, William Pennefather (who was the representative of Richard Pennefather the lessee), out of the lands and premises, from the commencement of the lease to the taking of the account, and also to approve of a proper scheme for the appropriation of the income thereafter to arise from the estate mentioned in the pleadings in the cause, and of the funds which should be paid into court in respect thereof. The reference proceeded before the Master; and it was represented to him that the rents and profits of the lands amounted to the annual sum of £600; and it was agreed between the parties in the cause that William Pennefather should pay a sum of £6,000 as and for the mesne rates of the lands.

It is impossible to believe that the net annual income of the lands was then not more than £600 a year; for it appears from the Report of the Municipal Commissioners, that at the expiration of Bolton's lease, the lands demised to him (which did not include all the lands in Pennefather's lease) were yielding him an income of about £1,550 a year; and at the inquiry it was admitted that Mr. Pennefather also received an income of £1,550 from the lands at the time the lease was set aside. I was unable to obtain any rental of the lands during Pennefather's time, as the Town Clerk stated he could not find any among the papers of the Corporation.

As hereinafter stated, however, it will be found that the then Town Commissioners had, in the autumn of 1843, made new lettings of the entire lands comprised in the lease for new rents, amounting in the aggregate to the sum of £633 18s. 6d. a year; and this may account for the representation then made to Master Litton as to the annual value of the lands, and on the faith of which his report was made on the 2nd January, 1844, and by which he approved of a scheme for the appropriation of the £6,000 and the annual income of the lands calculated at £600 a year, and which was in substance as follows:—

SCHEME for the appropriation of the sum of £6,000 Mesne Rates.

(This is set out in full in Appendix No. 19, p. 394.)

- | | | |
|--|---|--------------------------------|
| 1st. £700 to be expended by the then Commissioners, under the Act of 9 Geo. IV., c. 23, in paving, &c., the streets of Cashel. | 1st. The entire of this sum is stated to have been duly expended, and £20 in addition. | Mr. J. Corky, Ev. 63. |
| 2nd. £300 to be applied in payment of the costs therein specified. | 2nd. It is stated that the £300 was paid for costs, and also a further sum of £740 16s. 10d. This latter sum could not have been legally charged against or paid out of the £6,000. | Ev. 416. |
| 3rd. £2,000 in erecting gas works, &c. | 3rd. £1,392 appears by the books to have been expended originally on these works. | Ev. 35-42. |
| 4th. £1,000 for procuring a water supply. | 4th. £138 3s. 7d. is all that appears by the books to have been originally expended in procuring water. | Ev. 33. |
| 5th. £100 towards the formation of a lying-in hospital. | 5th. £54 only was applied to fitting up one of the Corporation houses for this purpose. | Ev. 55. |
| 6th. £450 to be applied in purchase of Rev. Mr. Whitney's interest in Cottrell's lot. | 6th. The £450 was so applied. | Ev. 53.
Ev. 56.
Ev. 383. |
| 7th. £200 in making and repairing roads. | 7th. The £200 was so applied. | Mr. Peake, Ev. 456. |
| 8th. £240 to be applied in erecting a mechanics' institute and temperance hall in Cashel. | 8th. No portion of this money was so expended, save £9 in the year 1838. | Mr. Corky, Ev. 375, 383, 384. |
| 9th. £1,000 to be advanced to the Cashel Loan Fund Board in connexion with and under the control of the Debit Board. | 9th. This was duly applied, and the funds have now accumulated to over £3,500. | Mr. Mathias, Ev. 504. |

It will be seen that the above sums comprised the entire £6,000, and it was found by the Report that the expenditure of the above sums except the last for £1,000 should be duly accounted for by the said Commissioners before the Master in the cause. No such account was, however, furnished, nor was the expenditure even vouched before him. During the two first days of the inquiry the Town Clerk stated he could not find any trace in the books of the receipt by the Commissioners of this sum of £6,000, although there was no doubt that it had been paid, but on the last day he produced what purported to be a printed account of the receipts and expenditure of the Borough for the year ending the 25th March, 1845, and in which the then Treasurer (the late Mr. Charles Doherty) charges himself with the receipt of the sum of £2,560, a portion of the mesne rates, and in the account of the following year with a further sum of £3,365 1s. 3d., under the head "proportion of mesne rates." These sums were mixed up with the other funds of the Corporation, and no separate account was kept of them as ought to have been done, as it was to have been applied as ordered by and accounted for to the Court of Chancery, and no part of it should have been applied, as it undoubtedly was, in an illegal manner. Mr. Doherty's accounts were audited by some of the Commissioners from time to time until the year 1848, when he left the country, and there was then a small deficiency on them which was made good by his surties; without devoting more time than was at my disposal to a close inspection of all the books and accounts of the treasurer for the years 1843 to 1848, it would be impossible to say what became of the sum of £2,955 10s. 5d., the balance of the £6,000, after crediting the sums which were duly expended. No reason was suggested why the balance was not applied according to the scheme or why the then Commissioners who must have been fully aware of all the facts, and that they were trustees of this property for the benefit of the inhabitants of Coshel, had not required a separate account to be kept of the fund, and accounted for it as required by the Master's Report. The scheme also provided for the expenditure of the annual income, therein stated to amount to £600 a year, as follows:—

10th. £140 a year, portion of the rents of the said premises, to be applied by the Commissioners towards lighting, cleansing, and supplying with water the City of Cashel.

11th. £200 a year, further portion of said rents, to be applied to the support and maintenance of two schools in Cashel, viz., £150 a year for two day schools, one for boys and the other for girls, under the control of the National Board, and £50 a year for the support of similar schools under the control of the Protestant minister.

12th. £120 a year, further portion of said rents, to be applied towards the support and maintenance of the Lyngin Hospital.

13th. £40 a year, further portion of said rents, to be applied in the purchase of blankets to be distributed to the poor housekeepers of Cashel, at Christmas, by a committee of the clergy of Cashel of all denominations.

10th. A larger sum than this has been actually expended on the contemplated objects.

11th. £180 a year has been and is regularly paid to the Roman Catholic Archbishop, but the whole of it is not expended on the National Schools. The Commissioners do not interfere further with it than paying it to the Archbishop. The £20 a year is paid to the Protestant Dean.

12th. No portion of this has been ever so applied. It is stated that no one would use the Hospital, and therefore it was not kept up.

13th. £40 worth of blankets are annually bought by the Commissioners, of which £20 worth are given to the Roman Catholic clergy for distribution, and £20 worth to the Protestant. For some years, between 1844 and 1851, the money was not expended, nor were the blankets distributed.

It will be perceived that if the whole of the above annual sums had been duly applied there would have been a large annual surplus, which could have been easily ascertained from time to time if a separate account had been kept of the receipt and expenditure of the rents of these lands, and the scheme accordingly provided "that as soon as there should be any accumulation of the surplus rents and profits an application should be made to the Court to have same expended for any charitable purposes which circumstances might render advisable." At the most £400 a year only of the rents have been expended as provided by the scheme, so that there remained an annual surplus of £233 18s. 6d. a year, even on the new lettings of the property, less the necessary outgoings for agent's fees, poor rates, &c. This surplus should have been accumulated annually, and only applied under the sanction of the Court of Chancery. This was never done. The rents were always collected and lodged by the agent to the credit of the general account of the Commissioners, and the surplus was expended by them as they thought fit, and without any regard to the obligations imposed on them as trustees for the public under the decree. In the year 1856 the then Commissioners passed a resolution to give an annual payment of £50 to the Christian Brothers' Schools if they were established in the town, and this sum has been paid annually since the year 1858, when the schools were first established; and the present Commissioners justify the payment on the resolution passed in the year 1856, and not on any resolution or order made by the Commissioners who were in office in 1869 or since. The then Commissioners

Mr. Coker,
Ev. 124-126,
911, 914.

Mr. Malles,
Ev. 400-428.

Ev. 387
Mr. Haily,
Ev. 545,
Mr. Coker,
Ev. 44,
Ev. 127-3.

Ev. 375-7.

Mr. J. Coker,
Ev. 61,
Mr. C. Haily,
Ev. 234,
Mr. J. Coker,
Ev. 124-126,
Mr. J. Malles,
Ev. 471.

Mr. J. Coker,
Ev. 127-129,
Mr. Malles,
Ev. 464.

also leased the house which had been settled upon for the lying-in hospital in the year 1838 to the then parish priest, at a rent of one shilling a year, as a house for the National schoolmaster, and some years afterwards it was given by the parish priest to a classical teacher to open a school in the town. This failed after a few years, and the house was lying idle for a short time, when some young men in the town applied to the then Commissioners to let it to them for a temperance institute. They did so, and the young men expended some money in repairing it, but after a short time the Commissioners put them out of it. Some of the mechanics of the town then applied for it, to form an institute, and offered to pay rent for it. They had the house in 1858 for a short time, and the Commissioners then expended a sum of £9 out of the £240 specified in the 8th article of the scheme in putting it in repair; but they afterwards took it away from them, and the house is now used as a Christian Brothers' School, and no rent is paid for it save the nominal one of one shilling a year. The action of the Commissioners with respect to the mechanics of the town (numbering about 50), and their continued neglect in refusing to expend the £240, or to rent them a house for the purpose of an institute, was much complained of by them, and a strong feeling exists on their part against the Town Commissioners for their action against them on this subject. Although I asked for it, no person gave the slightest explanation on the part of the Commissioners as to their neglect in providing the institute for the mechanics, as provided by the Master's Report.

I now proceed to detail the dealings of the Commissioners with respect to the common lands, which demands serious attention. It has been already stated that when Pennefather's lease was set aside, the rents received by him from the lands were at least £1,550 a year, and that within a few months the same lands were let to the same tenants, save in a very few instances, for £633 18s. 6½d. a year. The explanation as to how this happened was given by Mr. Mullins, the present chairman of the Town Commissioners. He stated that on the setting aside of Pennefather's lease, the tenants refused to acknowledge the Commissioners as their landlords, and that the opinion of the late Baron Greene was taken on the subject, who advised that new lettings should be made to them on a valuation to be made of the lands by two valuers, one to be appointed by the Commissioners and one by the tenants; that this was agreed to and arbitrators were appointed, who valued the lands at the rent then and since received, save in one or two instances. I called for any evidence, either in the books of the Commissioners or the bills of costs furnished by their solicitors, or for any documents from the Commissioners' papers to prove that any such opinion was given, or that any case was laid before that distinguished lawyer, but nothing of the kind was produced. It is impossible to conceive that there could have been any ultimate difficulty in the Commissioners getting possession of the lands from those whose title thereto depended solely on that of their landlord, which had been set aside. I also called for the production of the valuation stated to have been made, but no trace of its contents could be shown from the Commissioners' books or otherwise, save that the Town Clerk produced a book purporting to be a rental, from March, 1844, to 1845, in which the rental of the lands comprised in Pennefather's lease is set out as amounting to the sum of £633 18s. 6½d. a year, and £13 18s. 6½d. for tithe-rentcharge. From whatever motive, or with whatever object it was done, there can, however, be no reasonable doubt that some such valuation was made in the year 1843, because it was stated that a resolution was adopted in that year, that at any time within thirty-one years (which has expired), the tenantry could get leases by paying 10 per cent. over the rents mentioned in the valuation. This proposal was submitted to the tenants, who refused to accept it, and the rents stated to have been put down by the valuers, without even the addition of the 10 per cent., have been since received by the Commissioners, and the reason for this, as given by the chairman, was that the Commissioners since felt themselves bound by the resolution then adopted.

This resolution was not recorded on the books, and it was stated at the Inquiry that there was not any record of the appointment of any valuers or any valuation made by them, but since the Inquiry closed the Town Clerk has forwarded to me resolutions, which he states he had since found on the books, a copy of which is as follows:—

EXTRACTS FROM THE MINUTE BOOKS OF THE TOWN COMMISSIONERS OF THE CITY OF CASHEL.

1843, October 20.—The object of the meeting having been to appoint valuers for the Corporation lands.

Moved by Mr. Dolan, seconded by Mr. Conner—

"That Thomas Heffernan, of Ballynashin, and John Loughman, of Ballynashin, be appointed to value said lands, and that they be paid a sum of ten pounds each for such valuation, they first subscribing a declaration to the following effect:—

"We, Thomas Heffernan and John Loughman, do solemnly declare, according to the provisions of the statute in that case made and provided, that we will truly, faithfully, and diligently examine into the value of

CASHEL.
Mr. J. Mullins,
Ev. 357-407.

Ev. 351-370.
Mr. Barker,
Ev. 429-460.

Mr. Mullins,
Ev. 407-410.

Mr. Coker,
Ev. 505-5.

Mr. Hardy,
Ev. 530-3.

Mr. J. Mullins,
Ev. 408.

CASHEL.

the different lands, farms, and tenements (the corporate property of the city of Cashel) which we may be appointed to value by the Commissioners of the said city, and that we will estimate the value of said lands, farms, and tenements to the best of our judgment, knowledge, and skill, at such value as would be, according to our judgment, knowledge, and skill, a fair and reasonable rent between landlord and tenant in this county, according to the circumstances of each case."

— 1844, February 24.—Moved by Mr. O'Shea, seconded by Mr. Power

"That leases be made to each of the tenants as apply at the rent, exclusive of the rentcharge, ascertained by the valuation, and that our agent be directed to take proceedings against those tenants that do not settle."

An amendment was moved by Mr. Corby, seconded by Mr. Desmond—

"That leases be only made on the old rents."

The motion was carried by a majority of 10 to 3.

Moved by Mr. Dolan, seconded by Mr. Conner—

"That the tenancy commence at 29th September, 1843."

From these extracts it is likely that Mr. Mullins is inaccurate in his recollection as to the terms of the resolution offering leases to the tenants, and that they were not in fact then offered leases at an increase of ten per cent. beyond the valuation, and that he is also inaccurate in saying that one valuator was named by the tenants, as from the extracts it would seem that both valutors were appointed by the Commissioners, and were to be paid by them. It does not, however, appear that they or either of them ever made the statutable declaration mentioned, or were paid for the valuation, nor is the original valuation to be found. It is also manifest that if the Town Commissioners who succeeded those in office in 1844 felt themselves bound by the resolution passed by the Commissioners of that year as to the granting of leases to the tenants at the rents in the new valuation, as stated by Mr. Mullins, they ought to have confined the terms thereby granted in the leases afterwards executed by them to terms of thirty-one years from the 29th September, 1843, in which event all such leases must have expired in the year 1874, when the then Commissioners, if so inclined, could have obtained a fair rent for the lands out of lease. This was not done in a single instance; and thus the existing leases hereinafter mentioned (if valid) will prevent the inhabitants of Cashel from enjoying the full and fair income properly derivable from their property during the continuance of the leases, through the action of the Commissioners who executed them while they were only trustees for themselves and others. It further appears that in some cases the rents, when leases were made, were reduced below the prices fixed by the valutors.

I now proceed to give the particulars of the Commons land and its valuation, which for convenience I set out in a table showing the acreage, rent, and Griffith's valuation, the entire being divided into five lots.

Name of Lot.	Acreage, in Statute Acres.	Present Rent.	Griffith's Valuation.
No 1. Owens' and Biggs', . . .	143 0 27	94 14 7	102 7 0
" 2. Laker's Lot, . . .	989 1 13	217 7 3	426 1 0
" 3. Hill's, . . .	400 0 32	100 15 3	160 12 0
" 4. Attykint, . . .	491 3 12	96 1 9½	176 12 9
" 5. Carron, . . .	184 1 0	124 19 8	218 0 0
	£568 3 3	633 18 6½	1,083 12 0

From ten to twelve leases appear since to have been made of portions of these lands, the particulars of which are as follows, so far as I could ascertain them in the limited time at my disposal:—

Tenant's Name	Date of Lease	Contents.	Rent.	Griffith's Valuation.
No 1. Repe. of Mathew Hanly, } " Do. (Laker's Lot), }	4th September, 1854, }	s. d. p.	£ s. d.	27 0 0
" 2. Do. Owens' and Biggs' Lot, } " Do. }		50 3 0	11 17 0	
" 3. Mrs. Dillon (Laker's Lot), }	2nd December, 1862, }	7 1 2	2 8 7	15 0 0
This farm had been let to Daniel Phelan, as yearly tenant, at same rent as in lease.		9 1 20	13 19 11	
" 4. Thomas Carrow, . . .	2nd July, 1852, . . .	68 2 3	24 15 10	47 5 0
		53 0 39	23 15 9	38 0 0

The rent for 41a. 3a. 14r. of this holding paid by Thomas Carew was £39 0a. 10d. while he was a yearly tenant, but on making the lease in 1852 it was reduced to £23 13s. 9d., and he got 16a. 1a. 25r. of land additional.

CASHEL.
Mr. Hanly,
Ev. 547-550.

Tenant's Name.	Date of Lease.	Contents.	Rent.	Griffith's Valuation.	
No. 5. Avery Jordan, . . .	11th February, 1857,	A. R. P. 141 2 31 51 3 1 of Carroon, at 7s. 8d. an acre 22 3 22 of Attykitt, at 6s. 2d. an acre.	£ s. d. 101 15 11	£ s. d. 170 0 0	Ev. 561.
" 6. Pierce Grace, . . .	4th September, 1854,		27 1 0	49 0 0	Ev. 566-6.
" 7. Thomas Hogan, . . .	Do.,		15 15 24	34 0 0	Ev. 562.
" 8. Denis Hogan, . . .	Do.,		18 13 3	34 5 0	Ev. 565.
" 9. Thomas Carew, . . .	Do.,		10 0 0	7 4 0	Ev. 567.
" 10. ——— O'Neill, . . .	1854, . . .		31 15 6	46 0 0	Ev. 567-319.

The leases Nos. 1, 2, 3, on the above list were granted to Matthew Hanly, the lessee, at the time he was a Town Commissioner, under a resolution of the 9th January, 1854, set out at question 491, which was passed at a meeting at which he was present, and they never were put up to any public competition or tender. Mr. Cornelius Hanly at first stated that his father had previously bought the interest of a yearly tenant named Maloney in the lands comprised in leases Nos. 1 and 2 for about £150, but he afterwards stated that the land only cost £70, and that there was a crop and other things on the land which made £70 more. Maloney's rent had been 12s. or 13s. the Irish acre. At the lesser sum of 12s. an acre Maloney's two holdings must have paid a rent of about £23 a year; and when the leases were granted to Mr. Hanly they were given to him for rents amounting to £14 5s. 7d. a year, without the slightest reason being suggested on the books or otherwise for the making such a reduction and giving him a lease for 31 years from September, 1853. When the agent was asked his opinion as to the letting value of these two lots, his answer was that it was unfair to ask him, as he might have an interest in the question, and would not, therefore, like to put a valuation on those farms, but that he might do so in the case of other persons. How far he adhered to the latter part of this answer will be perceived by the perusal of his evidence, when he declined to give answers to several questions put to him as to the value of farms held by others. Mr. Matthew Hanly had also given £18 or £20 for the interest in about five acres of the land comprised in the second lease before it was made to him, and which was then paying a rent of 30s. an acre.

Mr. Conry,
Ev. 485
Ev. 486
Ev. 487
Ev. 488
Ev. 489
Ev. 490-491.

Ev. 495.

Ev. 492.
Ev. 511, 604,
623, 624, 625,
626, 627.

Ev. 605.

Ev. 502.

The lease to Mrs. Dolan of lot No. 4 on the above list was made to her under a resolution of the 1st April, 1861, set out at question 509, which authorized the granting of a lease to her for 31 years at the rent of £24 13s. 10d. a year, the then rent paid by Daniel Phelan, a yearly tenant; and an amendment—set out at same question—was proposed to that resolution, that the lease should be granted to her only for an unexpired term of 14 years, to which the late tenant, Daniel Phelan, was supposed to be equitably entitled, under the resolution of 1844. This amendment was evidently proposed to carry out the spirit of the resolution of 1844, that the tenants were to get 31 years' leases from 1843; but it was negatived by a majority of 9 to 2. Mrs. Dolan was the widow of a Town Commissioner, and had given Phelan £650 for his interest in the farm, and this was publicly known at the time the resolution was passed. Mr. Hanly, the agent, declined to give an opinion of the value of this land at the time, but on being pressed he said that in its original state it was worth 10a. to 12a. an acre. Even taking this estimate of its value to be correct, it is easy to see why Mrs. Dolan gave so large a sum for the tenant's interest on getting a lease for 31 years at a rent of £24 13s. 10d. a year.

Ev. 503.

Mr. Healy,
Ev. 580, 581.
Mr. Conry,
Ev. 514, 515.
Mr. Hanly,
Ev. 511, 512.

On Lator's lot, 41a. 3a. 14r. of the land comprised in the fourth lease in the above list had been held at a rent of £39 0a. 10d. by Thomas Carew, under a resolution for a lease ordered to be made to him in April, 1844, for 31 years from September, 1843. He was then a Town Commissioner. This lease was not made, but on the 2nd July, 1852, he got an additional quantity of 16a. 1a. 25r., and a lease was made to him of the new and old farms, making in all 58a. 0a. 39r., for 41 years, from about that date, at the reduced rent of £23 13s. 9d. a year. No resolution is to be found on the books for the granting of this lease, nor was the slightest excuse or explanation offered as to the reason for such a transaction (which speaks for itself) having taken place.

Mr. Conry,
Ev. 522.
Mr. Healy,
Ev. 544-546.

Mr. J. Conry,
523.

The next lease in the above list was made to Mr. Avery Jordan, while he was Town Clerk. He claimed to be entitled to collect tolls in the market, under the Pennesfather family, and he had held the lands comprised in that lease under them, but at what rent

Mr. Hanly,
Ev. 522-4,
551.

Carrick.
Mr. Corry,
No. 34.

we could not ascertain. He gave up his alleged right to those tolls, and in consideration of his doing so the lease was granted to him on the 11th February, 1857, for 31 years from the 25th March, 1856, at the rent of £161 15s. 11d. a year.

Mr. Brady
No. 305.

The sixth lease was made to Pierce Grace, a son of a Town Commissioner, and it is alleged that the land was put up to public competition, and that proposals were put in by four persons for them. A resolution was passed on the 7th July, 1850, for granting a lease to Mr. Grace (a Commissioner then present) for thirty-one years from the 29th September, 1850, but the lease was not executed until September, 1854, from which time the thirty-one years commenced. No information was given as to the rents offered by the others, but the rent of 6s. 2d. the Irish acre for the portion of Attykit comprised in the lease, was much below what had been paid for other portions of the same lands in the Pennefather's time, as will appear from the rents reserved in the leases set forth at question 999.

No. 361.

With respect to the leases 7 and 8 in the list, no resolution was produced authorising their being granted, and it was stated that the same lands had been let in the Pennefather's time at 12s. and 13s. an acre, so that even if such was the fact the present rents are much less.

No. 307-318.

Another lease was made to Mr. Cahill in 1834 of 80a. 2s., Irish, on Hill's lot, at £31 15s. 6d. a year, for thirty-one years. The value of that farm is considerably more, and it was described as being a very good lot, but not quite as good as the agent's father paid £2 an acre for.

Woods' lease.

I have now dealt with the cases in which leases have been granted since 1844 by the Commissioners of portions of the commons lands, so far as they were brought before me, but there are two leases still recognised by them which require to be noticed.

No. 338-339,
398-701.

The first is a lease alleged to be vested in the representatives of a Mr. Richard Woods. In 1843 Richard Woods, then a Town Commissioner, claimed to hold a lease made to him by William Pennefather, for ninety-nine years, of 61a. of Foxeden, part of Hill's lot, at a rent of £26 a year. This lease, if valid, will not expire for several years, but it appears to me to be as invalid as the original lease to Woods' lessor. The Commissioners, however, have never taken any steps to set aside this lease, or get possession of the lands, and, on the contrary, have continued to recognise the Woods as tenants, paying only £26 a year for them. The value of the lands comprised in this lease is best proved by the fact that they are now let by the representatives of Woods on lease for thirty-one years, from 1859, to Daniel Foley, at a rent of £100 a year, and which he has regularly paid. Griffith's valuation of this farm is £43 10s., which shows the relative value of the land to the valuation, although Mr. Hanly declined to give an opinion as to whether the valuation was too high or not; but the farm is on the same lot (Hill's) as Mr. Cahill's last above-mentioned farm of 80a. 2s. Irish, which was described by the agent as a very good lot.

Mr. Daniel
Foley.
No. 704-723.
Mr. J. Hanly,
No. 638.
No. 699
No. 316.

The second is a lease alleged to be vested in the representatives of a person named Charles Wogan. Before Pennefather's lease was set aside he had demised 45a. of part of Lalor's lot, called the Spa Fields, at a rent of £13 14s. 4d. a year, for a term which, if the lease was valid, would expire in about six years. James Phelan, a Town Commissioner, afterwards became entitled to Wogan's interest in the lease, we presume by purchase, but could not ascertain the particulars. James Phelan afterwards sub-demised the premises to John Scully, a solicitor in Cashel, and then also a Town Commissioner, at a rent of £2 10s. an acre, for a term which expired in the year 1875. Mr. Mathew Hanly, Town Commissioner, the father of the agent, bought Mr. Scully's interest in the sub-lease for £250, and he or his representatives continued in possession of the lands until its expiration, and James Phelan, or those claiming under him, are now in possession, and claim to hold it for the residue of the term in the original lease executed by Pennefather to Wogan. This lease appears to me to be as invalid as that to Pennefather, and no reason was suggested for the Commissioners having continued to recognise it, and receive the wholly insufficient rent payable under it. The valuation of the lands in this lease is £75 a year, and Mr. Hanly, the agent, stated that he did not think the valuation excessive.

Wogan's lease.
Spa Fields.
Mr. Hanly,
No. 722.

No. 654-691.

It is quite manifest that by gross neglect, if not from some other motive, £174 a year has been lost to the inhabitants of Cashel on Woods' and Phelan's farms alone for the last thirty-four years, and also a much greater loss has accrued in the aggregate during the same period from the other lettings above mentioned, and a larger loss is likely to take place as long as the management of the property is continued by the present so-called trustees, as they and their predecessors have managed it from time to time.

No. 672.

I now proceed to detail the action and conduct of the Commissioners from 1843 to the present, with respect to the rents of the commons lands in the hands of the yearly tenants, as far as I was able to ascertain them in the limited time at my disposal, and not having any power to compel the attendance of witnesses or to examine on oath.

Mr. Corry,
No. 306.
Mr. Hanly,
No. 374.

From 1843 the rest of the commons lands have been held by the parties then in

possession, or their representatives or assignees, at the rents stated to have been then put on their holdings by the valuers then appointed.

In the month of December, 1875, Mr. Hanly brought before the Commissioners the fact that the leases of some of the property were soon to fall in, and applied for instructions as to reletting the lands. Mr. Scully, one of the Town Commissioners, on the 18th December, 1875, gave notice of moving at the next monthly meeting the motion mentioned at question 860; and Mr. Hackett then gave notice of moving the amendment mentioned at the same question. Mr. Scully's resolution was carried unanimously on the 18th January, 1876, whereupon Mr. Hackett gave notice that he would move at the next monthly meeting that the resolution passed that day be rescinded, which however does not appear to have been done. On the 7th February, it was ordered that the agent be directed to offer to the tenants leases of their holdings in accordance with the terms of the resolution passed on the 18th ult., and report to the next meeting whether they will accept leases on these terms. On the same day Dr. Laffan gave notice that he would move at the next monthly meeting "That for the future for all of the lands for which no lease is now in force the rent at present payable shall be continued, if such be not less than the Poor Law Valuation; but if less than same, then the rent shall be raised to a sum equal thereto, the increased rents to be charged from the next date, which by law shall be allowable, and that the agent do take immediate steps to carry this resolution into effect." This resolution was moved by him and seconded by Mr. Scully, whereupon Mr. Hackett moved and Dr. Molony seconded, as an amendment, "That an advance of ten per cent. per annum be put on all the rented lands on the Commons which are now running out of lease, and other lands where no leases are existing, which were rated in Griffith's Valuation." Notwithstanding the passing of the resolution of the 18th January this amendment was carried on a division by seven to two, and thereupon Dr. Laffan and Mr. Scully handed in a protest which is set out in full at question 860. In moving his resolution on the 20th March, 1876, Dr. Laffan made a statement which he repeated before me of such importance that I think it right to state it fully here. His statement, speaking with reference to what was said by some of the tenants of the Commons at a meeting held shortly before, was—

"That he agreed with the tenants who stated that the Pennesithers had been the perfection of landlords, but that when they made these rash statements they quite forgot that the Commissioners had in their archives every document connected with the Pennesithers' lettings, that he had made complete extracts from them, and that he challenged the Commissioners to test their correctness by examination for themselves; that he had stated on former occasions that the lands were let at nominal rents, and that the valuers had received instructions not to be too particular; that he was authorized that day by the then law agent of the Commissioners to state that the Commissioners' valuer having exceeded his instructions, a valuation was the result which the then Commissioners declared had they foreseen, they would sooner have put their hands into the fire than have assented to. Better far, however, than the statement of any gentleman, however honorable or respectable, was the evidence of figures and documents, some of which he then presented in a tabulated form as follows:—

Tenant's Name.	Present or Former Rent per Irish Acre	Pennesithers' Rent	Proposed New Rent.
	£ s. d.	£ s. d.	£ s. d.
Michael Corcoran,	0 8 2	1 11 6	0 15 0
John Corcoran,	0 8 2	1 11 6	0 15 0
Dennis Corcoran,	0 8 2	1 11 6	0 15 0
— Hogan,	0 8 8½	0 13 0	0 12 11

* He stated to the Commissioners that he gave the foregoing figures as a sample to show them that he did not propose to charge the tenants more than half the rent in some instances, which those deservedly popular landlords laid on to the great gratitude of even the second generation of their quondam tenants."

After the passing of the resolution of the 7th February, Mr. Hanly, as agent, sent out a printed circular to each of the tenants, as follows:—

"Cashel, February 22nd, 1876.

"SIR,—I have been directed by the Town Commissioners to inform you that they are willing to give you a lease of your holding on the Commons in accordance with the terms expressed in a resolution passed by them on the 18th ultimo, a copy of which is given below, and I have to request that you will inform me, in writing, on or before the 5th proximo, whether you desire to take such lease.

"To Mr. ———,

"I am, Sir, your obedient servant,

"C. HANLY.

"RESOLVED,—That in all cases tenants on the Commons who have hitherto been paying rent less than the Poor Law Valuation shall be offered leases of their holdings for thirty-one years, dating from the last gale day, provided the rent in future to be paid by them shall equal the present Poor Law Valuation.

"And in all other cases that such leases be granted at the rents now paid."

CASHAL.

After the amendment was carried on the 30th March, he also sent out another printed circular as follows:—

"Sir,—I beg to acquaint you that by a resolution of the Cashal Town Commissioners passed on the 30th ultimo, a copy of which is given below, the rent of your holding at _____ has been raised to £ ____ per annum, and I have to request that you will inform me in writing, on or before the 15th proximo, whether you will continue to occupy your farm on these terms.

"To Mr. _____,

"I am, Sir, your obedient servant,
"C. HANLY."

"RESOLVED,—That an advance of ten per cent. per annum be put on all the rated lands on the Commons which are now out of lease, and on the lands where no leases were existing which were let under Griffith's Valuation."

Up to the time of the holding of the inquiry not a tenant had accepted the terms offered in either circular.

The probable reason why the tenants have not accepted this offer will be understood by the statement of the footing on which the yearly tenants at present stand with the Commissioners, as hereafter detailed. Daniel Foley, who holds the lease under the Woods above alluded to, also holds about twenty acres of the lands of Attykit, which was described by Mr. Hanly as the worst townland he ever saw.

This 20a. had been held by a man named Keatings, as a yearly tenant, at a rent of £7 11s. 4d. a year and he sold his interest in it to Foley's father-in-law for £140, who made a present of it to Foley's wife several years ago, and Foley has been since recognised as the tenant at the same rent. When Foley received the circular above set forth he replied to it in a letter to the Commissioners, as follows:—

"GENTLEMEN,—I have the circular of your agent, together with a copy of the resolution of the Town Commissioners, in reply to which I beg to call your attention to the fact that I bought the tenant's interest in the lands of Attykit, with the sanction of the Commissioners, with the full understanding, expressed by them to me, that I would not be disturbed so long as I paid rent: under the circumstances I refuse your offer and object to any change in the terms of my tenancy.

"Yours truly,

"DANIEL FOLEY."

Having now stated the latest action of the Commissioners, with respect to the Commons lands, I proceed to detail their action with respect to them after 1844.

Notwithstanding the resolution of the 26th February, 1844, the Commissioners of that time do not appear to have taken any proceedings against the tenants to compel them to take out leases, and nearly all were continued as yearly tenants at the reduced rents.

The Commissioners, on the 1st February, 1847, passed a resolution as follows:—

"That no tenant on the Commons of Cashal under the Commissioners be allowed to assign or sublet their holdings to any person without the consent of the Commissioners."

And again, on the 7th March, 1860, another resolution was passed, to the effect:—

"That any tenant parting with a portion of his land without the consent of the Commissioners be ejected."

And on the 7th May, 1860, it was also resolved:—

"That the resolution entered on the minutes of the 6th March last, ordering James Keatings to be ejected in consequence of his having subdivided his farm, shall be rescinded, but that in future any tenant parting with a portion of his land, without the sanction of the Commissioners, shall be dispossessed."

It is not easy to understand why these last mentioned resolutions were passed, if the then Commissioners fairly intended to carry out the resolution of the 26th February, 1844, as it was contended that under it all the tenants were to get leases for thirty-one years from 29th September, 1843, and they might thus have been considered equitably entitled to such leases without restriction during that term, but the subsequent acts of the Commissioners would go to show that they were passed for the purpose of giving them the opportunity of seeing that a tenant in possession was, according to their opinion, properly compensated for his interest. This view is borne out by a resolution passed by the Commissioners on the 4th June, 1860, whereby it was ordered:—

"That the agent, Mr. Conan, be directed to have a notice to quit served upon Richard Stapleton for having entered into possession of Judith Ryan's farm without liberty from the Commissioners, and for not satisfying the tenant in a just and reasonable claim which she had in the land."

This is the only instance appearing in which they interfered with the assignments, notoriously made from time to time, and which also shows that in this case they took an active part with respect to the change of tenancy on one of the farms. Be the motive however what it may for the passing of these resolutions, it is perfectly manifest that the successive Boards of Commissioners of Cashal, ever since these resolutions were

Mr. Hanly,
Ex. 332.
Mr. Foley,
Ex. 784-785.

Ex. 192.

Mr. Hanly,
Ex. 349.

Ex. 624

Appendix No.
19, p. 254

Mr. Conly,
Ex. 625.

passed, have been consenting parties to very many cases of assignment and subletting, in which some of the yearly tenants from time to time have sold their interests in their tenancies. Notwithstanding the so-called valuation in 1843, and the statements of Mr. Hinely and some of the tenants, that the lands were let at nearly a fair value at their present rents, it will be hereafter seen that several cases of sales have taken place by tenants in which very large sums of money have been paid for small portions of the ground. One tenant stated "that there were not any of the tenants parting with the land but those who were getting money for doing so; and that they could all get money for it."

Cassell.

Mr. Michael Stapleton, Ev. 763.
Mr. Hinely, Ev. 774.

The next step which appears to have been taken about these lands was on 7th May, 1860, when the Honorable Martin J. French, then one of the Town Commissioners, gave notice that he would move at the next monthly meeting—

"That a competent person be appointed to value the unleased portion of the Corporation lands, and that he shall receive instructions to the effect that the Commissioners only require a reasonable valuation to be made, and in the event of the valuation exceeding the present rent that each tenant shall be at liberty to show cause why that rent should not be raised."

Mr. Corby, Ev. 803.

On the 4th June, 1860, Mr. French gave another notice, as follows:—

Ev. 845.

"That he would move, at the next monthly meeting, that the resolution of February, 1844, be rescinded, which granted a right to all tenants of the Corporation to obtain leases at a valuation which had been then made, and that a competent person be appointed to ascertain the present letting value of each unleased portion of the Corporation lands and also the particulars, nature, general cost, and existing value of each tenant's own unexhausted improvements, that upon obtaining such valuation, leases for 31 years should be offered at such a reasonable rent as should appear fair and equitable towards the several tenants."

Mr. French does not appear to have brought forward that resolution, but he was the Chairman of the meeting on the 21st July, 1860, when it was proposed by Mr. Murphy and seconded by Mr. Corby, that the resolution passed and entered on the minutes of the 20th February, 1844, be rescinded, whereby it was agreed to grant leases to all the Corporation tenants at the then valuation. An amendment was proposed and seconded to the effect that the Commissioners did not consider it expedient to alter the arrangement entered into between them and their tenants. The resolution was carried by five to three, but as there were only twelve members present, four of whom did not vote, and as two-thirds of the number, say eight, were required to rescind the resolution of February, 1844, which had been passed at the former meeting, the Chairman decided that the resolution was not carried in compliance with the provisions of the 46th section of the Commissioners Clauses Act, 1847 (10 Vin. c. 16).

Ev. 853.

Matters remained in this condition until the proceedings which took place during the period between December, 1876, and April, 1877, which have been already alluded to, and the tenants who held the unleased lands in 1843, or their assignees, have since held and now hold their several farms at the rents then determined on, and which are much below the real annual value. It would take too much time to state in detail the numerous instances in which the yearly tenants have sold their interest in their farms, but the following table will show some of the most remarkable:—

Tenant's Name.	Irish Western. Quantity of Land, and on what Lot.	Rent.	Griffith's Valuation.	Sold for, and to whom.	
John Sturdy, . . .	A. R. P. 7 to 8 acres on Owens and Biggs' Lot.	£ s. d. 5 13 0	£ s. d. 6 15 0	— Kearney, for £100.	Mr. Hinely, Ev. 870-886.
— Shee, . . .	1 1 12 (Tailor's Lot).	0 9 6	1 10 0	— Purcell. Could not ascertain amount.	Ev. 880-882.
Robert Taylor, . . .	12 0 0	8 11 0	11 10 0	Michael O'Sullivan, Town Commissioner. Could not ascertain amount.	Ev. 885-888.
Michael Hogan, . . .	2 0 0	1 5 3	2 10 0	William Maloney. Could not ascertain amount.	Ev. 886-888.
Pat Ryan, . . .	29 0 0	19 18 6	26 15 0	Richard Stapleton, for £383, including stock, &c.	Ev. 888-897. Mr. Richard Stapleton, Ev. 763-772.
J. O'Connell, . . .	5 0 0 Owens and Biggs' Lot.	7 10 0	7 15 0	Mathew Dwyer, £200.	Mr. Hinely, Ev. 890-893.
Mrs. Barry, . . .	4 2 0 Owens and Biggs' Lot.	8 18 8	8 5 0	Mathew Dwyer, £125 or £150.	Ev. 896-897.
William Ryan, . . .	7 0 0	4 15 0	6 5 0	John Ryan. Supposed to be £180.	Ev. 841-847.
William Ryan, . . .	11 3 36	4 3 3	10 5 0	Denis Ryan. Could not ascertain amount.	

G. 1088.
Mr. Hanly,
Ev. 274.

Ev. 734-735.

The foregoing cases in which sales have taken place show the value of the holdings of the yearly tenants, and these interests are being sold from time to time openly and notoriously; but it was impossible to ascertain the full particulars of these sales, or the prices paid as purchase money. Another instance of what appeared to be a letting at a gross undervalue was that of land held by William Casson. A person named Judith Keating had held 27A. of Attykitt at a rent of £15 8s. 3d., Griffith's valuation being £18 12s. In some way which I could not ascertain, the holding became vacant, and 2A. 3s. 27B. were added to it, and by a resolution of the 5th April, 1852, both holdings, making in all 29A. 3s. 27C., were let to William Casson at the reduced rent of £10 15s. 8d. a year. No reason could be assigned as to why this was done.

The other property of the Town Commissioners consists of the following lands and houses:—

No. or Rental.	Name of Land or House Property.	Acres, in Irish Acres.	Rent.	Griffith's Valuation.
		A. R. P.	£ s. d.	£ s. d.
Ev. 613.	2 Hickey's Lot,	125 0 0	80 2 3	119 3 0
Ev. 420.	3 Land lots, and property in the town,	342 0 0	328 17 8	480 6 0
Ev. 424.	4 Small lots on Commons, exclusive of part in Pennefather's lease,	553 0 0	205 5 2	244 0 0
Ev. 426.	5 Shambles in town,	—	7 15 0	—
Ev. 427.	6 Lots and houses on the Green,	—	23 17 10	—
	7 Friar-street houses,	—	48 10 5	—

Ev. 415-419.

The entire of Hickey's lot No. 2 is held by yearly tenants, save about twenty acres which is held by Thomas Carew, under a lease for thirty-one years from 1854, at a rent of 10s. the Irish acre.

Ev. 430-433.

About 230 or 240 Irish acres of rental No. 3 are held under three or four leases, some of which will expire in six or seven years and some in eighteen or twenty years, and the rest is held by yearly tenants.

Ev. 434-5.

One hundred and ten Irish acres of rental No. 4 is held by a Mr. Price, at 3s. an acre, under a lease which will expire in about two years and the rest is held by yearly tenants.

Ev. 429-7.

The premises comprised in rentals 5, 6, and 7, consist of small houses and shops, which are mostly let at weekly rents varying from 5s. to 1s. 6d. a week.

From the great difficulty in obtaining any satisfactory evidence as to the lettings made by the Commissioners with respect to the six last rentals, and the leases made of the portions of the land let on No. 3, I thought it would only involve an unnecessary waste of public time to prolong the inquiry with respect to the lettings made of the lands and premises comprised in those rentals, but it will be perceived that there would appear to be a great undervalue in the lettings of the premises comprised in the lots 2, 3, and 4, having regard to the amount of Griffith's valuation as above set forth. I may further add that I do not think I could have been able even by giving further time to the inquiry to ascertain the rent, particulars of the lettings, and value of the different farms, from the limited means I had of procuring evidence. It will be seen, however, that even if the leases made of portions of these lots are valid, several of them will fall in within a limited period, and it would appear to me from the past history of the dealings of the Commissioners with regard to the past lettings of the Corporate property, that it will demand your Grace's serious consideration, whether some steps must not be taken to ensure that at least all future lettings of the Corporate property shall be made at a fair letting value. At the close of the Inquiry the Town Clerk produced some leases, the particulars of which are set forth in questions 1006 and 1007, and some of which show the correctness of the statements made by Dr. Laffan as to the lettings to the Carews in Pennefather's time.

Mr. Carby,
Ev. 1006-7.

Mr. Hanly,
Ev. 525.

Ev. 428.

Ev. 267.

Ev. 572.

Ev. 511-591-
605, 553-593,
525-531,
Ev. 511-592,
573,
Ev. 594-5-8.

It will be seen that the entire of the landed property of the Commissioners amounts to 2,370A., Irish, of land surrounding the town, and their entire income from house and landed property amounts to the sum of about £1,328 1s., and of this, as has been already stated, the Pennefather portion of 1,548A. 3s. 5P., Irish, produces only £633 18s. 6d. a year, while Mr. Hanly himself admitted that it was richly worth from £1,000 to £1,100 a year. His expression of his opinion of its value was obtained with great difficulty, as he frequently refused to answer or to express an opinion as to the value of individual farms; and he further stated that he was not competent to do so, as he was not the agent of the Commissioners, but merely their receiver, although he had, however, previously stated that he was their agent for three years. The Commissioners do not pay the least attention to this large property or its management. Mr. Hanly never looks

after the lands, and merely receives the rents in his office in town. They have not any agent, or even a bailiff to look after them, or to see that the fences are kept up, and that the land is not worked out or exhausted. From the interests, however, which the tenants have in the lands, it is very unlikely that they would be tilled in an unhusband-like manner. A great interest was taken in the Inquiry, the Court being thronged while it lasted by several of the people of the town on the one hand, and the tenants on the other; and the townspeople, from remarks frequently and openly made, were and are of opinion that the lands are let at a gross undervalue, and that the Commissioners, in the discharge of the trusts imposed on them, have not done their duty to those for whom they are trustees in their management of this large property. Having, as I thought, concluded the Inquiry on the 17th October last, I was induced to return in consequence of many representations made to me in writing by people in the town; and I accordingly continued the Inquiry on the 29th and 30th December. By so doing I was enabled to ascertain the matters on which I have made the foregoing report—I fear at too great length—in relation to the management of this large estate by the successive Boards of Commissioners of Cashel, and which, I venture to think, are well worthy of your Grace's attention.

WM A. EXHAM. (Seal)

H. A. ROBINSON.

Acting as Secretary.

MINUTES OF EVIDENCE.

PORTADOWN.—MARCH 8, 1877.

(Before Mr. Commissioner LAWRENCE, &c.)

MR. WILLIAM JOHN PAUL, Chairman of Town Commissioners, examined.

Testimony
March 8, 1877.

Mr. William
John Paul.

1. My LAWRENCE.—Are you the chairman of the Town Commissioners?—Yes.

2. Under what Act are the Town Commissioners of Portadown constituted?—The Act of 1854—17 and 18 Vic. chap. 103. We placed ourselves under it immediately after it was passed.

3. When?—We adopted it at the close of 1854.

4. Did you adopt that Act in its entirety?—We did.

5. How many Town Commissioners are there?—15.

6. Is that number now full?—It is.

7. What is the rateable valuation of the town within the municipal limits?—£15,178 5s.

8. Is that the valuation in 1876?—Yes.

9. Can you give me the average?—£37s. 2s. 7d.

10. Can you give me the population of the town?—The population by the census of 1871 was 6,733.

11. Has it increased since that?—Yes, and very considerably. Even that population shows a larger increase in population proportionately than any other town or city in Ireland, with the exception of Holywood.

12. Do you mean since the census of 1861?—Yes; and the population has very considerably increased since the last census.

13. Do the Town Commissioners possess any property?—They do; they have the town hall, in which you are now sitting, and which we value at £1,500, held by lease under the Duke of Manchester at the yearly rent of £1 4s. 3d. payable in November.

14. Is the lease a lease for ever?—Yes; we have also workhouses, or rather we have workhouses valued at £700, held by lease under James Calvert and Thomas Shillington at the yearly rent of £22 2s. 3d. payable half-yearly, 1st May and 1st November, and part of which we have let off and receive a rent for of £23 15s.

15. What have you let that for?—For buildings, having a profit rent of 12s. 7d.

16. What are the crosses, which I see mentioned in this abstract of your accounts?—Some weighing machines which we have at present.

17. I want to know if you have any other property for which you receive any rent or income?—No, we have not. We have churches in the town hall value for £50 but we don't receive any income in the shape of rent for property.

18. Are the Commissioners the owners of, or entitled to receive any tolls from fairs or markets?—We do not charge tolls, nor are we the owners of fairs or markets at present, but the Duke of Manchester has kindly agreed to give us such.

19. Is the Duke of Manchester the owner of the market rights in this town?—Yes; we have received a draft of the lease by which he hands over to us the fairs and markets.

20. Is he about to grant to the Commissioners for the benefit of the town his market rights?—Yes.

21. I suppose at some nominal rent?—At a mere nominal rent—1s. a year, I think.

22. Is it the intention of the Commissioners to form public markets in the town?—Yes.

23. Do they propose to do that under the powers of the Town Improvement Act of 1854?—Yes; and the Local Government Act as well. We will avail ourselves of the powers under it. There is a very great necessity for such powers being exercised at present. The cattle fair is obliged to be held in the open street, and of course at very great inconvenience to the public. The Pork market is also held on the street, and very frequently we find great difficulty in preventing the cattle from standing on the footpaths and in-

terfering with the business of the town. We have secured a fair-green, and we are only waiting for the powers from the Duke of Manchester to enable us to transfer the fairs to it.

24. Do you consider that the holding of the fairs and the pork market in the public street amounts to a public nuisance?—We do.

25. Is the holding of the fairs and markets on the street universally objected to by the inhabitants of the town, or are there any who wish to retain them?—There are a few who wish to have them continued on the street, but the great majority wish to remove them to the fair-green.

26. What class of people wish to have the fairs retained in the street?—Well, the principal opposition has arisen from the innkeepers, or the proprietors of licensed houses, although even they have not universally opposed it; only a few of them did so.

27. Do you mean by licensed houses, houses that are licensed for the sale of spirits?—Yes. I mean the public houses; but all the proprietors of these licensed houses are not opposed to the removal of the fairs and markets from the streets; some of them are in favour of it.

28. Are there any of these proprietors of licensed houses members of the body of Commissioners?—I think not; no, not that have given opposition to the removal of the fairs and markets.

29. Will you tell me what rate do the Commissioners here levy in the town?—Yes; the rate for this year is 1s. in the pound.

30. Under what Act?—Under the Town Improvement Act, 1854, and under the Towns Improvement Clauses Act, 1847—3d. in the pound for a sewerage rate and 3d. for scavenging loans.

31. Your rate, you said, was this year 1s. in the pound for the town improvement rate?—Yes.

32. Was there more than one class of sewerage rate? I see in the abstract of your accounts that there is a rate for private sewerage?—Yes.

33. Is that private sewerage rate comprised in the 2d. 1d.?—It is not. It is in the case where property is severed for the advantage of the property. It is not for the advantage of the public generally.

34. Does the improvement rate of 1s. in the pound represent the average rate?—We have never exceeded it. The improvement rate for 1875 was 11d. in the pound.

35. So that you have increased it 1d. this year?—Yes. We tried it at 11d., but that rate was found to be insufficient; we could not meet our expenditure with it.

36. How much did the rate produce that year?—£692 6s. 6d., including the sewerage rate.

37. But I mean the improvement rate?—That rate produced £680 16s. 1d.

38. At what time is that rate struck?—The rate is made in March.

39. Your financial year ends the 15th of May?—Yes.

40. I find by the last account added by Mr. Simms, the auditor, that there remained at the time of the audit a sum of £400 0s. 3d. uncollected?—Yes.

41. Of course the time for collection between the months of March and May is very short?—The whole rate uncollected for the year amounted to £75 17s. 6d.

42. At what time?—Up to the end of the year, prior to the striking of the rate for this year.

43. When does your year end?—The year audited by the Government auditor ends on the 15th May,

FORRESTER:
March 8, 1873.

Mr. William
John Paul.

but you can see from the time the rate is struck it would be impossible to have all the rates collected.

44. Up to the 31st December, 1870, of the rate struck in March, 1870, there was only £73 odd uncollected—Yes; £73 uncollected, and £44 of that arose from a mill in town being closed, the proprietors being in liquidation, and we could not recover the money at the time.

45. Has it been recovered since?—The matter is not finally settled yet.

46. I find in the abstract of the audited accounts a return of rates uncollectible to the amount of £14 6s. 11d. 1—Yes. These were resisted, owing to the houses being unoccupied, and some other causes. Sometimes the person from whom the rates were recoverable was dead, or had moved away out of the town, and of course in such cases they were not collected.

47. By whom is it decided that rates have become uncollectible and are to be wiped off?—By the Town Commissioners.

48. Do you mean by the Town Commissioners at a public meeting?—Yes, at the meeting in public. Every case is gone through by the committee in the first instance, and the different causes reported to the board, and then a motion declaring the rates to be uncollectible is made, and the matter discussed and decided.

49. With respect to the receipts of the Town Commissioners, I shall not trouble you with going through the details. I only want your explanation about one or two matters. The Commissioners charge themselves in respect of the town hall, assembly rooms, and public offices with £39 16s. How is this sum made up?—These are the receipts for the letting of the assembly room and of this room as court-house. We get £10 a year for this court-house, which is used as a petty sessions court.

50. Will you explain to me how the item under the head of "shambles" is received, and how it is made up. The account is debited with £138 6s. 3d. under this head?—That money is received for the letting of the sheds and stalls, and for the profits of the weighing in connexion with the shambles.

51. Are the shambles a public market?—They are.

52. Are they the property of the Commissioners?—Yes; they are.

53. Is there any toll charged or chargeable as such in these markets?—There is nothing charged in this market but for weighing; it is merely charged to cover the expenses.

54. Is it only a meat market, or a market for the sale of any other produce?—Butter and eggs and hides are sold in it.

55. What is the item of £80 8s. 5d. under the head of cranes?—It is for weighing the pork and gross seed, and grain. With the grain it has comparatively little to do, because the merchants weigh it themselves at their offices or stores.

56. What is that item of £335 0s. 8d., under the head of county contracts?—We contract with the county for the flagging of the streets, and in some cases for the repair of the streets, and we pay one-half of the amount necessary for carrying out the contract.

57. Does this sum of £335 0s. 8d. represent the amount you received from the Grand Jury for one year?—Yes; that represents the amount for one year.

58. What is the item of £200 represented as a loan from the Belfast Bank?—That was for the fire-engine.

59. What do you mean by "for the fire-engine"?—We bought a new fire-engine, and we are paying off the cost of it by instalments of five per cent. annually and five per cent. interest. Before borrowing it we applied for liberty from the Local Government Board to enable us to do so.

60. What security did you give for the loan?—We gave the rate of the town as security; it is being paid off at £30 a year, and five per cent. interest. We have paid off £20.

61. On looking over the expenditure side of your account, I see that the items charged in it are these

ordinarily necessary in a town like this. There is not any that I wish to make particular inquiry about, with the exception of one or two, to which I shall now call your attention. I see £11 18s. charged as interest on loan, what is that?—That is interest on the town hall loan.

62. When was that loan contracted?—In August, 1866.

63. What was the original amount of the loan?—£400; ten debentures of £40 each. That is one of our loans.

64. How much of it is now due?—£340. We pay five per cent. interest on it.

65. Does that sum include interest and instalments?—It includes everything.

66. If you look again to the audited account you will see "£13 7s. 8d. interest on loan." What is it?—On the shambles we owe £280 which was borrowed in 1850, at the time the shambles were purchased.

67. What was the original amount of that loan?—£280; it still exists.

68. Has none of the principal been paid off yet?—No; none of it is paid off yet.

69. At what rate of interest was it borrowed?—At five per cent.

70. Do you see in the account two items: interest on sewage loan and on fire-engine loan, which amount to £9 19s. 3d.; what are those loans?—In the year 1869 we borrowed £500 on debentures for the sewage, and of that sum we now owe £108.

71. And you borrowed £200 for the fire-engine?—Yes; and of that sum £20 has been paid. It was paid since 1870.

72. On the sewage loan, which you say was £500, there is now only £108 due?—Yes.

73. And on the mortgage on shambles £280 is due?—Yes.

74. And on the fire-engine loan from the bank, £180?—Yes.

75. Will you just look to the items of the receipts on the receipt side of the account passed by Mr. Collet the auditor?—Yes.

76. Can you, from your own knowledge, say whether the different items on the receipt side of that account comprise all the receipts of the Town Commissioners as such for the year ending 15th May, 1870?—They do.

77. Do the items of expenditure mentioned on the other side of the account represent to your knowledge all the expenditure made by the Town Commissioners as such during the same year?—Yes, they do.

78. I will just ask you to give me again the details of your capital debt?—On the town hall loan £340 at five per cent. is now due.

79. And on the loan for sewers from James Calvert?—£100 on it.

80. And how much on the loan for the shambles?—£280 to Dr. Bredan. It is subject to five per cent. interest.

81. And how much to the Belfast Bank on the fire-engine loan?—£180 is now due on it.

82. What is the total amount of your capital debt at present?—£600.

83. The result of your account for the year ending 15th May, 1870, is a balance to your credit of £88 16s. 7d.?—Yes.

84. Will you let me see your bank-book?—Yes. (Hands in bank-book.)

85. The balance in the hands of the treasurer on the 15th May, 1870, was £83 16s. 7d.?—Yes.

86. There was a small sum mentioned here to your credit—a sum due by the former clerk, of £7—has that been realized?—Yes.

87. What is the item of £20 mentioned here under the head of "Present clerk," does it mean money in the hands of the present clerk?—Yes; it means advances for the present month—advances for paying the scavengers, and so on. All our payments are made by cheque on the Belfast Bank.

88. Do the county Armagh Grand Jury levy county cess all through this town?—They do.

FORWARDED,
March 8, 1875.
H. W. Wilson
John Paul.

59. What was the rate for the year 1874?—1s. 9d. in the pound. It amounted to £1,328 1s. 6d.

60. And you received from the Grand Jury payments for that year the sum of £235 6s. 6d.?

61. Now will you tell me what officers the Town Commissioners employ: in the first place, the Belfast Banking Company are the treasurer?—Yes; the Belfast Bank are the treasurer. We employ a town clerk.

62. At what salary?—£50 a year. A town constable at £10 a year, and clothing, which costs £10 8s. 6d., and a courtkeeper at £17 a year, with quarters &c.

63. Are the apartments in this building?—Yes; then there are market officials, the weigh-master, and so on. There is a weigh-bridge clerk (who has charge of the shambles as well), at a salary of £30 a year.

64. Are there any other people employed?—There is a grain master who is paid 4s. 6d. a day.

65. Is he employed during the whole year?—He is employed two days in the week at certain seasons of the year, and one day in the week at other times. Then we have another clerk who is also paid 4s. 6d. per day when employed.

66. Another clerk at the market?—Yes; there is also the pork tiler, at 4s. 6d. per day on market days. Then we have three weighmen at the butter sheds who are paid 3s. per day each.

67. According to the times they are employed?—Yes; and we have four porters at 2s. 6d. per day, and one at 3s. per day, when employed. The scavenging is done by the Commissioners, who employ men for that purpose. After deducting the amount received for manure sold, the scavenging costs about £115 a year. You will find it under the head of "cleaning" in that account. The amount produced for the year by the sale of manure, was £28 12s. 10d.

68. There is an item on the expenditure side of your account which I forgot to ask you about. You will see £814 16s. 7d. under the head of county contracts, will you tell me what that is?—That is our expenditure. It is just the amount we expended for the year on those county contracts. We do not always receive the money at the time the expenditure is made.

69. These are the contracts for flagging the town?—Yes; and for the repairs of streets passing through the town.

70. How many people are employed as scavengers by the Town Commissioners?—Six men, who are under the control of the town constable and are employed constantly.

71. Are they employed annually?—They are paid by the week, but they are employed the whole year round.

72. At how much per week?—At 10s. per week. They are occasionally employed overtime—on market nights for instance, and they are then paid additional. Our market is held on Saturdays, unfortunately in some respects, and some attention has to be paid to the streets in order to make them passable on Sunday.

73. Are the streets here after the fair on Saturdays cleaned up on Saturday night?—Not the whole of the streets of course—the crossings and the approaches to the places of worship are swept, and at the beginning of the week the general cleaning is attended to.

74. Do the Municipal Commissioners employ any other people besides those you have already mentioned?—No.

75. Do the Commissioners, as the urban sanitary authority, employ a sanitary staff?—Yes.

76. By whom are the rates collected here?—The Commissioners employ a collector.

77. You did not mention him before?—Well, he is paid by the Commissioners.

78. By a per-centage, I suppose?—Yes; a per-centage of 4d. in the pound—4d. in the pound on the amount of rates collected.

79. Does he collect all the rates?—He does.

80. Does he collect the receipts from the markets?—No.

81. By whom are they received?—By the town clerk.

82. Does the collector of rates give security with sureties?—He does.

83. In what amount?—£200; two sureties, a joint and several bond for £300.

84. Does Mr. Simms when he is auditing the accounts require to have that bond produced before him?—No; he did not ask for it.

85. Is the collector bound to lodge his receipts in the Belfast Bank?—Yes.

86. At any specified intervals?—Regularly as it is collected.

87. Is the town clerk bound to lodge his receipts in the Belfast Bank?—He is bound to lodge them monthly.

88. Does the town clerk give security?—He does.

89. How much?—£300.

90. With sureties?—Two sureties.

91. Are the sureties for these officers living?—They are.

92. Now will you give me the names of your sanitary staff?—Dr. Stewart, the consulting sanitary officer, at a salary of £10 a year; R. McClatchey, the executive sanitary officer, at a salary of £10 a year; and the town constable, as sub-sanitary officer, at a salary of £10 a year. Of course Dr. Stewart is sanitary officer to the Board of Guardians as well.

93. In fact he is both sanitary officer and consulting sanitary officer?—Yes; I should say that the accounts are all checked and examined by the town clerk and submitted to the finance committee who check them also, and recommend them for payment to the Commissioners, and the Board of Commissioners either adopt or reject their recommendation at their monthly meeting.

94. Are the cheques signed by three Commissioners and the town clerk?—Yes; and all paid by the Belfast Bank or treasurer.

95. Are the streets through the town kept in repair by the Grand Jury of the county?—They are kept in repair at the expense of the Grand Jury.

96. Do you mean all the streets in the town—large and small?—Yes.

97. Do you say that the flagging of the town is done by the Town Commissioners?—It is; but we receive one-half of the expense from the Grand Jury.

98. Is the scavenging of the streets done entirely by the Commissioners?—It is done entirely by the Commissioners out of the rates. It was formerly done by a scavenger, to whom it was let yearly by contract, but the Commissioners found this plan was not satisfactory, and they then adopted the present course.

99. How is the town lighted?—By gas.

100. At whose expense? What gas company is there in the town?—A joint stock gas company, and the Commissioners' contract with them for the supply of gas for the town; 110 lamps are supplied at the rate of 32s. per lamp, which amounts to £176. The lighting and extinguishing amounts to £22 10s., and these sums make the total cost of lighting the town £198 10s.

101. That is for the year ending May, 1874?—Yes; it is from 15th September to 15th April.

102. I find here by the last report passed by the auditor that the cost of lighting for the year 1874-75 was £120 15s.?—Yes; that was for the previous year.

103. Was there any change made in the price of the gas?—Yes; it was reduced, because the price of coal was reduced.

104. Are these lamps, for which you pay £1 12s. each, lighted all the year?—No; they are lighted from the 15th September to 15th April.

105. Have you any body of watchmen in the town?—We have not.

106. Do you pay for night watching by the constabulary?—No; we have two stations of constabulary in the town, one on the east side of the river, and one on this side.

107. Are you able to speak as to the state of the drainage or sewerage of this town?—Yes.

THAT WARD
MAYOR, &c.
Mr William
John Paul

138. Are there main sewers through the public streets?—There are.

139. Are they through all the streets?—We have at present made an application to the Local Government Board for a loan to be applied for the purpose of carrying out additional sewerage, which is required.

140. Who is the officer of the municipal Commissioners having the care or superintendence of the sewers?—The town clerk; he is surveyor as well as town clerk. We have maps of the whole districts, with the sewers constructed, which we can show you. The maps were made by an engineer.

141. When were they made?—About two years ago. We paid £47 10s. for the maps. You will see the item on the expenditure side of the account for the year 1874. (Hands in the map.) The amount of the loan for which we applied to the Local Government Board for the construction of new sewers was £700.

142. I infer from what you say that the existing drainage is not sufficient for the requirements of the town?—It is not at present.

143. Are the houses in the streets where there are main sewers at present connected with them by means of connecting drains?—They are.

144. Have the Commissioners had occasion at any time to order the execution of work of that kind?—They have had to do so occasionally.

145. By whom are they informed of the necessity for such work being done? Was it by the sanitary officers or the town constables?—Both by the town clerk and the sanitary officers. We receive suggestions from the sanitary officers if they consider there is a nuisance requiring abatement.

146. And do the Town Commissioners require people whose houses are within 100 feet of the main sewer to make connecting drains?—They do.

147. Do you find that the requirements of the Commissioners in this respect are complied with?—Generally they are. Sometimes we have had a little difficulty in getting them to make connecting drains with the main sewers, but lately we have had less difficulty than formerly. Under the Local Government Board we have less difficulty in getting the law carried out.

148. Do you ever find it necessary to serve notice or cause notice to be served upon the people with respect to matters reported to you by the sanitary officer?—We do.

149. Do you find it necessary, or have you at any time found it necessary to institute proceedings before the magistrates?—In some instances we have found it necessary to do so. This is the form used under the Sanitary Act for summoning the people in such cases. (Hands in form of Summons.)

150. Is there any minute-book kept by the Commissioners containing a record of the proceedings under the Sanitary Act?—Yes.

151. Does that book show what orders were made by the Commissioners on the reports which they received from the sanitary officers?—Yes; the book is kept regularly.

152. Can you let me see it?—Yes. (Hands in book.)

153. Notice, I suppose, is given by the sub-sanitary officer to the sanitary officer, and he makes a report to the Commissioners?—Yes.

154. And then is it the duty of the executive sanitary officer to carry out whatever orders the Commissioners make in relation to the subject-matter of the report?—Precisely. (Hands in the Sanitary Officers' Report Book.)

155. To whom are these reports made?—To the Town Commissioners at their monthly meeting. The Commissioners' orders on the reports are entered in that book.

156. This also gives the action taken on the notice by the owner or occupier of the premises, so the case may be?—Yes. If it was not complied with the fact would be stated, and then we would issue a summons against the parties responsible.

157. Is there a complete record kept of the reports made by the sanitary officer to the Commissioners, and also of the action taken by the Commissioners on

such reports?—There is. You will find it all in that book.

158. Did the Commissioners of this town do any of this sanitary work under the provisions of the Act of 1854, before the passing of the other Act?—Yes; so far as they could.

159. Do you mean so far as they had powers under the Act of 1854?—So far as they could manage under the Act. It was very difficult sometimes. They were sometimes required to expend 30s. or £2, and could not recover the amount in less than two years, and of course you can now recover it at once.

160. Do the Commissioners here find it necessary to exercise the power they have of compelling people to make privies and water-closets?—Yes; in some cases they do.

161. Are the houses in the town fairly provided with such accommodation?—They are being provided; a great many are already provided; the great bulk of the houses are provided. We have had some difficulty with some of the poorer class of houses, but lately the people are carrying out the views of the Commissioners in this respect. We were obliged in some cases to put the law in motion, and it has had a good effect.

162. Are there houses in the town which are absolutely and entirely in want of such accommodation?—There are, but they are very few in number, and we are now seeing that the law is put in force with respect to them.

163. Are the Town Commissioners doing their best to bring about a proper sanitary state of things in the town?—Yes; they are doing all in their power. I may say with reference to the subject of drainage, that we are subject to one great difficulty, which arises from the periodical flooding of the river.

164. Do you refer to the river Bann?—Yes; the sewers which discharge into the river are sealed at those periods of flooding, and of course that interferes with the sanitary operations.

165. Would not that state of things exist by reason of, or be caused by very high water in the river, without there being actual floods?—No; not at all. It arises entirely from the floods. There would at all times be a perfect discharge if we had no floods. The sewers are made under the expectation held out to us by the Drainage Commissioners at the time of their making improvements in Lough Neagh, that we would be protected from these floods, and if they had carried out their agreement with reference to that, we would now be able to work our sewers without any difficulty.

166. Has the flooding to which you refer been rendered more frequent by reason of the improvements at Lough Neagh?—Not by the improvements at Lough Neagh, but by the improved drainage of the country. The improved drainage caused the water to rush into the river more rapidly than formerly. It used to require two or three months to enable it to make its way into the river, and the quantity of water coming in at the same time was not so great as it is now. The improvements made at Lough Neagh were based on the then delivery of water, which at that time went only about one-third of the water into the river at once that it does now.

167. Is it contemplated by the Commissioners that any part of the money they now propose to borrow shall be applied towards remedying this state of things?—With reference to one part, the work they are now doing, will accomplish that purpose, but there are other parts—outlying parts of the town—where it would be impossible to accomplish it.

168. How, then, is it proposed to drain these outlying parts of the town?—We cannot drain them any better than they are being drained at present.

169. Is the river Bann the only available outlet for the drainage?—It is.

170. Have you got any public water supply in this town?—We have only got pumps; we have no high pressure supply.

171. How many pumps are there?—There are eighteen pumps.

FOOTBRIDGE
March 1, 1871.
Mr. Whittle
John Paul.

172. Are they kept in repair by the Commissioners?
—Yes; they are kept in repair by contract. You will find on item of £45 5s. 6d. charged under that head, which includes the cost of sinking a well, putting up a new pump, as well as for keeping the pumps in order.

173. What is the contract by which they are kept in order?—£34 4s. yearly; it is a three years' contract.

174. Is the contract found to be fulfilled satisfactorily?—Yes; we have control of the contractor who does the work. We have an agreement that he is to carry out the works satisfactorily, and we see that he does so.

175. What course is taken if they were not attended to?—Complaint is made to the Commissioners, and some of the officers are ordered to go and examine into it, and the Commissioners get the work done, and charge the cost of doing it.

176. Do these pumps constitute the only supply of water for the town?—Yes, except the Bann, the water from which is used for some purposes. There are a good many private pumps in the town.

177. Do you consider the present supply of water to be sufficient?—Yes.

178. Have you ever had the water from these pumps analysed?—Not the water from all of the pumps. In one case of foul water we had it analyzed.

179. By whom was the analysis made?—By Dr. Hedges of Belfast.

180. What was the result of it? Did he say the water was unfit for use?—There was one well into which offensive water had leaked, but that was corrected.

181. Is that the only case that occurred?—Yes; the only one.

182. Have the Commissioners in contemplation the getting of a public high-pressure water supply?—Not just now; at present we cannot see our way to do so. I should say that although there is an analyst for the county, strange to say, water is one of the things he is not bound to analyze, unless he is paid for it expressly.

183. The county analyst?—Yes; it appears to be rather an anomaly.

184. I suppose he is appointed only for analyzing articles of food?—Exactly; but water being so important an article of consumption it seems strange that it should be omitted.

185. Who is the county analyst?—Dr. Whittle of Monaghan.

186. Are the people here in the habit of keeping pigs or other animals in their houses?—No; we would not permit that to be done.

187. Have you had any occasion to interfere for the purpose of preventing it?—I never knew of an instance.

188. I suppose if such a case were brought before the Commissioners they would take steps at once?—At once; it would not be tolerated for a moment.

189. You mentioned one of the officers of the Commissioners called the town constable; what are his duties?—His duties are to see after the streets; to see that no breaches of the law, such as causing obstructions in the thoroughfares take place. He also superintends the scavenging, serves notices for the Commissioners, and also on parties who are required by the Commissioners to do any work in the town. He also sees that the footpaths are swept regularly every morning.

190. Are the footpaths swept by the inhabitants?—Yes; the people are required to sweep them before eight o'clock in the morning.

191. I suppose if they neglect to do so there is a summons issued against them?—Yes, if they continue to neglect it after remonstrance.

192. Do you enforce the rules with regard to common lodging-houses here?—We have just adopted by-laws for that purpose.

193. Is there any registry for lodging-houses here?

—There is now a registry for this year. It was in abeyance for some time, but we have introduced it again.

194. And whose duty will it be to see that these things are carried out?—It will be the duty of the town constable.

195. Have these rules and regulations been actually published, or are you only about to publish them?—They were published, but fell into disuse some years ago, and we are just introducing them again now. The rules were submitted to the Commissioners and passed, and ordered to be carried out. (Hands in copy of the rules and regulations for lodging-houses, the notices to be served on the lodging-house keepers, and of the application for licenses.)

196. Are there public slaughter-houses in this town?—There are no public slaughter-houses.

197. There are private slaughter-houses—are they inspected?—Yes, regularly.

198. And properly closed out?—They are.

199. And not allowed to become a public nuisance?—No, they are not.

200. Nor injurious to health?—No.

201. Do the Commissioners present an annual report of the state of affairs of the town to the ratepayers?—They do.

202. Is this the report for the year ending May, 1871?—Yes.

203. I find by this report that their liabilities, in clearing the amount of capital debt, for that year are represented at £1,981 5s. 6d.?—Yes.

204. And their assets, including the amount of uncollected rates and the value of the shambles and of this town hall, at £3,078 3s. 16d.?—Yes.

205. What is the balance to the credit of the Commissioners in the hands of the treasurer?—About £65 to the credit of the Commissioners up to the 1st March, 1871. We have no cheques outstanding.

206. And of course the rate is coming in now?—Yes; not one penny of the rate has been collected yet or lodged.

207. There could not be, I suppose?—No; the collector has not got his warrant yet; it has not been signed yet. I just wish to make the following statement.—The grain sold in the market here, including wheat and oats, amounts to 12,000 tons annually. Potatoes vary in quantity according to the state of the crop for the season, but the delivery of potatoes for the last five months would be about 1,700 tons. The quantity of hay and straw sold would be about 25,000 tons, the number of pigs (dead pork) 10,944, and of gross seed 1,020 tons. Broadstuffs received and delivered by the railway company for the year amount to 45,000 tons, the weight of coal by river and canal 9,500 tons, broadstuffs by canal 3,000 tons, and 2,600 tons of general produce. We have a monthly fair, and the number of cattle sent from this town by rail during the year was 4,000, besides those sent by road. That 4,000 would be all for export. We expect that when the provisions for our markets, which we have now in progress, are completed, the facilities will be such as to increase the business of our markets very considerably.

208. I suppose you wish to make the markets remunerative?—Our object is rather to accommodate the dealers and sellers, and so induce them to come to the market. Our object is not to make money by the markets, but to render them self-supporting.

209. You mentioned something about a fire-brigade. You have no paid fire-brigade here?—No.

210. I see you have a fire-engine?—Yes.

211. How is it worked?—There are twelve persons who form a volunteer fire-brigade. They employ hands at a fire to pump the water. Any expense that is incurred is paid out of the rates, and of course whatever money is recovered from the insurance companies is put to the credit of the account.

212. Does not a similar arrangement exist in Lurgan?—Yes; it is just the same.

PORTADOWN,
April 1, 1877.
Mr. Averil
Shillington,
J.P.

MR. AVERIL SHILLINGTON, J.P., examined.

213. Mr. LAWLESS.—You, I believe, have been Chairman of the Town Commissioners of Portadown?—Yes; I was succeeded by Mr. Paul.

214. Have you been a long time a member of the body of Commissioners?—Not long. I was a member a good many years ago, but of late I have not been until within the last few years.

215. In relation to what matter in particular do you wish to make a statement?—With regard to the county rates. It is the opinion of the Town Commissioners that the county rates, with the exception of the smallest large charges, should be under the control of the Commissioners.

216. You mean of course the county rates levied in the town only?—Yes; the rates levied within the municipal boundary—within the limits of the town. Private contractors interfere with the keeping of the streets in good order.

217. By private contractors you mean contractors under the Grand Jury?—Yes; under the Grand Jury.

218. I presume what you wish to express is this: that it is the opinion of the Commissioners when you now represent, that the entire care and control of the

streets of Portadown should be vested in them, and that they should have powers enabling them to do all the required works, and the towns relieved from the levy of county rates?—Yes.

219. You think such powers would be better placed in the hands of the Town Commissioners than that they should be left in the hands of the Grand Jury?—Yes; we are only anxious to have control of the roads and streets within the town. Private contractors taking contract from the Grand Jury do not perform the work satisfactorily. The town pays county rates to the amount of £1,328 1s. 6d., which is very much in excess of the county money that is laid out on the town.

220. The town paid £1,093 0s. 9d. last year more than it received?—Yes.

221. The county rate amounted to £1,328 1s. 6d., and of that £330 0s. 9d. was given back for that year?—Yes.

222. I understand that the only matter with reference to which the town receives a contribution from the county out of the county cess is for the flagging of the streets, and the keeping up the roads in the town, and the sidings?—That is so.

Dr. William
Stewart.

DR. WILLIAM STEWART examined.

223. Mr. LAWLESS.—Are you the sanitary officer of Portadown?—Yes.

224. And I understand that you are also the consulting sanitary officer?—Yes.

225. Is there a sub-sanitary officer who makes reports about nuisances to you, and an executive sanitary officer who puts into force the orders made by the Town Commissioners on your reports?—Yes.

226. The executive sanitary officer is the town clerk?—Yes.

227. Have you an extensive knowledge of the affairs of the town?—Yes; I am the dispensary officer, and I have a pretty accurate knowledge of them.

228. Is the town, generally speaking, in a good sanitary state?—Well, the greater part of it is, but there is a good deal of the suburbs of the town that is not in a good sanitary state.

229. What, in your opinion, is required to be done, in order to bring those parts into a proper sanitary state?—A good many houses several years ago were built without back doors, and without the necessary accommodation as regards privies and ashpits, but something is now being done to remedy that.

230. Is it being done by the orders of the Town Commissioners?—It is.

231. Do they make orders for the erection of the necessary accommodation in these places?—They do; but there seems to be very great difficulty in getting them carried out. The owners of property try to evade it as much as possible. They make temporary shifts which are not at all satisfactory, and which of course after a few years become totally useless. The Commissioners' instructions would be satisfactory enough if they were carried out, but the people do not seem willing to do so. I saw a case of the sort the other day. The Commissioners ordered some persons to erect privies and ashpits, and they put up a kind of wooden affair which will be a great nuisance. In fact the place will be worse than it was before.

232. Is it not the duty of the sub-sanitary officer to report this to you?—It is.

233. And you then report to the Commissioners?—Yes; I report to the Commissioners. (Hands in form of notice for the statement of witnesses.)

234. Is it upon account of the expense that the owners of property do not like to carry out these works?—Partly owing to that and partly, I think, because they seem to believe it is not necessary. When pressure is brought to bear on them to cause them to do it they do that sort of thing to which I have referred in a great many cases. Many of the workmen's houses in the town have no back doors, and it is hard to do anything with them.

235. What becomes of the refuse from their houses?—In some instances it is thrown out on the streets, and the nuisance in the houses is also thrown out. I see that frequently when I am on my rounds through the houses. Unless there is some means taken to make back doors, I do not see what can be done. In many cases they have no access to the rear of the houses at all.

236. Have you ever found any difficulty in getting the necessary steps taken to provide privy accommodation or anything of that kind with regard to houses that were owned by members of the body of commissioners?—No; as a rule the Commissioners attend to that sort of thing.

237. Is the case of their own property?—Yes. The property I refer to now belongs to persons outside the town. The owner of the property I refer to lives at Lissan or near it.

238. But the place itself is within the town?—Quite true, but he resides outside the town.

239. Mr. Paul.—We have just taken proceedings against him.

240. Dr. Stewart.—I never saw anything so ridiculous as the condition of the place is.

241. Mr. LAWLESS (to Dr. Stewart).—Do you find, Dr. Stewart, that your reports are attended to and are acted upon by the Town Commissioners?—Well, lately they are. Some time ago there was some want of attention on the part of the Commissioners, but lately the reports have been attended to. I do not think, however, the neglect was perhaps to be attributed to the Town Commissioners. I think they had a very inefficient town clerk at the time, and that he did not bring the reports before them as he should have done. I think the Commissioners themselves would be willing to act if the cases were brought properly before them.

242. Have you had in the discharge of your duty to report any places on more occasions than one. Suppose you reported a nuisance did you find it still existed notwithstanding your report?—Yes, I have had that to do frequently. In fact a large number of houses that I reported were not attended to, and I had to report them again, but, as I said, the town clerk was not discharging his duty well enough, and did not bring the matter before the Commissioners. The Commissioners are now willing to do what they can.

243. Mr. Paul.—There was, besides, one property in Chancery which we found it almost impossible to manage, and it was one of the worst places we had to deal with. They were a very low class of houses and we would not know where to get our money back from if we expended it on them.

234. Mr. LAWLESS (to Witness).—Is it your duty to visit and examine the public lodging-houses?—No; not unless the accommodation of the house is not what it ought to be—or unless it is not kept clean.

235. Do you know the general character of the lodging-houses?—I do.

236. Are they, in your opinion, properly kept?—I am afraid that some of them are not. Lately I think there has been some defect in the licensing of them. I think that is not attended to. The police have complained to me that they have found it difficult to deal with them or to know who kept lodgers on account of their not having a notice over the sign-board.

237. How many are there in the town?—I could not say what number there are. Perhaps the town clerk could.

238. Town Clerk.—There are about forty.

239. Witness.—I think it is a most important matter that the lodging-houses should be properly licensed and properly looked after. A good many houses of apparently suspicious character pass through the town, and the police authorities ought to be able to have a watch over them.

240. Do you find that disease is generated by these lodging-houses?—No; not exactly by the lodging-houses. I think that disease is mostly brought by labourers from England and Scotland, who go to these countries for employment, and who, when they are attacked by sickness, come home to be nursed. For

the last fifteen or sixteen years I have been able to trace the outbreak of smallpox to that cause alone.

241. Mr. PAUL.—We have no outbreak at present. Witness.—No.

242. Mr. LAWLESS (to Witness).—Do they return here when they are unable to work any longer in England?—They do.

243. Is there much contagious disease in this town?—Not just now. We are pretty free from it at present, though we had an epidemic of fever here lately.

244. Is the state of the houses inhabited by labourers and others, in which you say there is no access to the river, I suppose the defect could not be remedied without the acquisition of more ground?—In many cases there is ground enough, but in many others the houses are built facing the county road, and the people living in twelve or thirteen of them have to go through the one passage. Many houses that I know could have accommodation if they opened back doors in them. Some places of course have nowhere to erect privies or saltpans.

245. Do you find now that your suggestions or directions in sanitary matters are fairly attended to?—The Commissioners at present are most active, and are willing to attend to anything that is brought before them.

246. Mr. PAUL.—I think the bulk of the houses without back premises are those in Fox-lane, and are the houses which I referred to as being at present in the Court of Chancery.

247. Witness.—There are many others besides.

Mr. JOHN BOYLES examined.

Mr. John Boyles.

248. Mr. LAWLESS.—You wish to make some statement?—Yes. The gas company in this town are paid one-third, or nearly one-third, of the town rates for lighting the streets; and it appears to me that such being the case, the Town Commissioners (I only make this suggestion) should be the owners of the gasworks for the time being, in order to prevent any improper influence being exercised with regard to the terms of lighting. In many towns the Commissioners are the owners of the gasworks, and in those places there is much more satisfaction felt than here. In my opinion it would be better that no director or shareholder in the gas company which supplies the public lighting

should be a member of the body of Town Commissioners, unless, as I said, that the Commissioners for the time being should be the owners of the gasworks. Some dissatisfaction exists here (though not to any great extent) on account of several of the Town Commissioners being directors of, or large shareholders in, the gasworks. Where there is a large amount of the rates paid to the gas company, and where each member of that company is personally or equally interested in it with his brother shareholders, it would be more satisfactory that no Town Commissioner should be a director or shareholder in it.

Mr. WILLIAM JONES GUY examined.

Mr. William Jones Guy.

249. Mr. LAWLESS.—Do you, sir, desire to make any statement?—I do; I wish to say that when the question of public lighting comes before the Board of Commissioners, those Commissioners who are shareholders in the gas company could not, by the Act of Parliament, vote or interfere in any way in connection with it. I think it right to make that explanation.

250. Mr. BOYLES.—I know that the Act of Parliament does not allow them to vote, but at the same

time they can advocate their own interest, and they have done so in my presence.

251. Mr. PAUL.—I happen to be a shareholder in the gas company, and I am sorry to say that our dividend has been extremely low. We have been supplying the town with gas at first cost or below it. On no occasion has any Town Commissioner made use of any influence with respect to the contract for the supply of gas for the town.

Mr. ANTHONY GOWDY examined.

Mr. Anthony Gowdy.

252. Mr. LAWLESS.—Do you wish to make any statement with reference to this matter?—On several occasions I have been present at the Commissioners' meetings when the subject of the contract for gas was brought up and several shareholders in the gas com-

pany took part in the discussion. I do not say that they voted on the question, but they entered into the discussion very warmly on behalf of the gas company which I thought myself was very improper.

Mr. JOHN JOHNSON examined.

Mr. John Johnson.

253. Mr. LAWLESS.—What do you wish to say, Mr. Johnson?—I wish to say, with regard to the interference of the Commissioners on behalf of the gas company that I have had a little experience of it, and I must say that I have seldom or never been satisfied with the way in which this business was conducted. They always charged a high price for the gas, and I know that for many years the gasworks paid remarkably well. Lately it has not paid so well. I have also to complain that members of the municipal body sometimes supply goods for which they are paid by the municipal body.

254. Have you ever brought this before the atten-

tion of the Commissioners?—Yes, I have; and got alterations made several times.

255. The remedy for that would be to make it illegal for members of the municipal body to supply goods to the municipal body?—I think that is the law at present.

256. To what case can you call our attention?—I will ask any of the Commissioners "was there a contract given to a member of their body for making a scavenging cart?"—Mr. PAUL.—I never heard of it. Of course there was a cart ordered. There was an order given to a Commissioner to make a cart. There was no price mentioned for it. He was merely told to make it as cheap as he could.

DUNDALK—MARCH 9, 1877.

(Before Mr. Commissioner LAWLESS, Q.C.)

MR. EDWARD FURMAN EXAMINED.

DUNDALK.
March 9, 1877.Mr. EDWARD
FURMAN.

1. Mr. LAWLESS.—Are you the town clerk of Dundalk?—Yes.

2. Under what Act are the Town Commissioners of Dundalk appointed?—The 17th and 18th Vic., cap. 103, the Towns Improvement Act of 1854.

3. When was that Act adopted here?—In the following year—1855; it was adopted early in 1855.

4. How many Town Commissioners are there?—We have eighteen Commissioners.

5. Is that the number originally appointed?—It is the number originally appointed under the Towns Improvement Act. I am not aware exactly what the number was under the previous Act.

6. Before 1855 by what Act was this town regulated?—The 9th Geo. IV., cap. 82.

7. Is the town divided into wards?—Yes; it is divided into four wards.

8. Will you give me the names of the wards?—Seaview ward, which is the largest in point of valuation, Middle ward, and the North and South wards—four altogether.

9. Can you give me the valuation of each of these four wards?—The valuation in 1874 was, Seaview ward, £7,784 10s.; Middle ward, £6,119 15s.; North ward, £3,616 15s.; and South ward, £2,878 15s.—total, £20,398 15s.

10. Is that the entire valuation of all the property within the municipal limits?—It is.

11. Can you give me the number of municipal voters?—Yes, Seaview ward, 229, which of course includes rated occupiers and lessees of property.

12. Yes, I include all those?—229 was in the last published list for the municipal elections; Middle ward, 366 voters; North ward, 185, and South ward, 177—making a total of 970 persons entitled to vote at municipal elections.

13. How many Commissioners are returned by each of those wards?—Seaview ward returns six members, Middle ward six, North ward three, and South ward three each—eighteen altogether.

14. Are there now eighteen members of the municipal body; is there any vacancy at present?—There are actually only sixteen at present. One gentleman was disqualified for non-attendance under the Act, six months having elapsed without his signing his declaration. The other Commissioner is only recently appointed—in fact at the last meeting of the Board, and therefore he could not sign his declaration; he was appointed in the place of a gentleman who died.

15. Can you give me the population of the town; by the last return it was 11,357?—I was not furnished with the Census returns, and I never get an order to procure the county Louth census from the Government office.

16. Will you tell me what officers are employed by the Town Commissioners here?—First, myself, the town clerk.

17. How long have you been acting as town clerk?—I was appointed in 1864.

18. At what salary?—My present salary is £65 as town clerk, and I have £16 5s. under the Sanitary Act, and then the town hall is in the hands of trustees, who are of course trustees for the ratepayers, and I derive £22 a year from that department.

19. What other officers are there?—The town surveyor—surveyor under the Act of Parliament.

20. How much is he paid?—A salary from the general fund of £30 a year. Then we have an inspector of nuisances, who is also sub-sanitary officer under the Towns Improvement Act. He has a salary of one guinea a week, and as sub-sanitary officer he has as nearly as possible one quarter of that amount—£13 12s. 6d. a year.

21. Do you employ any other officers?—We have a rate collector.

22. Is he paid by a salary, or by a percentage?—By a percentage of 6d. in the pound on the amount collected.

23. Does he collect all the rates levied by the Commissioners?—Yes.

24. Who is your treasurer?—The Belfast Banking Company's branch.

25. Do the Commissioners employ a staff of surveyors?—The fact is, we have only two in our permanent service. These are regularly employed and also a man with a horse and cart to remove the rubbish from the lanes and other places.

26. What officers do the Commissioners as the urban sanitary authority employ as sanitary officers?—I am the executive sanitary officer.

27. Is there a sanitary officer?—Yes; the medical sanitary officer is Dr. Browne.

28. Is there only one sanitary officer or are there two?—There is only one medical officer.

29. Do the Commissioners pay him any salary?—They pay him as consulting sanitary officer; but not as sanitary officer.

30. How much is he paid as consulting sanitary officer?—We pay him £10 a year.

31. He is also the dispensary doctor?—Yes; the dispensary doctor of the district.

32. Are there people employed as sub-sanitary officers?—The inspector of nuisances is also sub-sanitary officer.

33. You have only one sub-sanitary officer?—Only one.

34. He is paid £15 12s. 6d. a year?—Yes.

35. And then the executive sanitary officer?—I am he—the executive sanitary officer; I have £16 12s. a year as executive sanitary officer.

36. Have you got a copy of one of the accounts last passed by Mr. Collet, the auditor in December, 1876?—Yes.

37. Can you let me see it?—Certainly. (Hands in copy of accounts.)

38. Have the Town Commissioners of Dundalk any property?—No; with the exception of the town hall, which is vested in trustees.

39. Have they no property except that town hall?—Except that, there is no property.

40. Do they receive any rents of any kind from any property?—No; except from the town hall. No rents whatever.

41. Do you receive any market tolls or dues?—No; we have none.

42. Nor fair tolls?—No; we have none.

43. Have the Town Commissioners anything to do with the management of the port and harbour of Dundalk?—No.

44. Is there not a distinct body called the Harbour Board?—Certainly there is.

45. Do the Town Commissioners derive any tolls or dues from the port or harbour at all?—No; they do not. We have nothing of that sort. The tolls don't come in to us.

46. Do you know under what Act of Parliament the Harbour Commissioners are constituted?—It is a special Act for Dundalk, as I understand.

47. Do the Town Commissioners levy any rates?—Yes.

48. What rates do they levy?—They levy a general rate—a rate for general purposes, of 1s. in the pound.

49. Was that the rate for last year?—Yes; and it has been the rate for several years.

50. What was the gross amount of that rate last year?—The amount collected on foot of all the rates last year was £1,117 3s. 8d.

51. What was the amount of the assessment and mentioned in the warrant for collection?—The warrant

bears date the 28th February, 1877, and the amount of the general improvement rate of 1s. in the pound, mentioned in that warrant for collection in 1879 17s. 3d.

32. When was that rate struck?—The warrant bears date the 28th February, 1877.

33. Then it is only in course of collection now?—Yes; about £120 or so of it is now lodged.

34. What other rate do the Commissioners levy?—A mortgage rate of 3d. in the pound.

35. What was the amount of it?—£224 12s. 4d.

36. Under what statute or authority was that mortgage rate levied?—The Town Improvement Act, and the Act incorporated with it.

37. Under what section of it?—The 69th section of the Town Improvement Act.

38. When was that rate levied?—A rate of 4d. in the pound for that purpose was levied in the autumn of 1865.

39. For what particular purpose was it levied?—To pay off the principal and interest of the debt upon the Town Hall, which was purchased by the Commissioners and vested in trustees.

40. Has it been levied every year since 1865?—Yes; it has been levied every year.

41. Not at the rate of 4d. in the pound?—No; not at a uniform rate.

42. What was the amount of principal and interest that that rate was required to pay off?—£4,000 was the principal; the interest fluctuated. What I mean is the rate of bank overcharge on overdrawn accounts, which was never less than five per cent, and it was when it did not exceed five.

43. You got £4,000 at bank rate?—Yes.

44. You say that money was raised for the purchase of the town hall lease?—Yes; for the purchase of the town hall.

45. When was it obtained?—The money was obtained in the early part of the year 1865.

46. By whom was it obtained?—It was obtained at the request of the Town Commissioners.

47. Was it obtained by the Board of Commissioners as a body, or by some individuals of it?—It was obtained by the Board as a body.

48. Do you know how the £4,000 was applied?—Yes; the buildings were in the hands of a company under the name of "The Dundalk Exchange and Markets Company (Limited)." They were the owners of the building, and they contracted with the Town Commissioners for their sale for public purposes for the sum of £4,000.

49. In whom are the buildings now vested; are they vested in the Town Commissioners?—No; they are vested in three trustees.

50. What are their names?—E. H. Macanilla, William Robson, and Robert Haig.

51. Do you know upon what trust these buildings are vested in these gentlemen?—The immediate trust was to apply the revenue of the buildings, so far as they would go, in discharge of the principal and interest due to the bank.

52. Is there any instrument with reference to this?—There is a deed.

53. Is it in the possession of the Commissioners?—It is in the possession of the Commissioners' solicitor, or the trustees' solicitor.

54. Who is he?—Mr. Terence O'Reilly, Dublin; he has an office in Dublin.

55. Are these buildings now called the Exchange Buildings?—Yes; and the town hall. These are names for the same place.

56. Are the buildings used for public purposes?—Yes.

57. Is there any rent paid for them?—We pay no rent. The trustees pay no rent.

58. How much of that sum of £4,000 (if any) has been paid off?—I think just the half, £2,000 is still due, and the interest is fully paid up to the last half-year.

59. Has it been paid off by means of sinking fund or by payment of principal and interest?—No we just

pay the bank the proceeds of our mortgage rate as long as we owe anything to them, and we never formed a sinking fund, we just lodge the money.

60. The £4,000 was reduced to £2,000 by the application of the mortgage rate from time to time?—Yes, and of course the revenue from the building as well.

61. Has the legality of that mortgage rate of 3d. in the pound ever been questioned here?—Yes; the gentlemen on the outskirts of the town—what might be called the rural district of Dundalk—felt they were aggrieved by being compelled to pay that rate, and also by being obliged to pay the general rate of 1s. in the pound, inasmuch as the main pipes of the gas works were not brought up within a moderate distance of their dwellings. They were reluctant to pay these rates, and we took proceedings against them at quarter sessions.

62. Did the Commissioners take proceedings for the recovery of the mortgage rate as well as the general rate?—Yes.

63. And what was the result?—The result was that the processes for both rates were dismissed.

64. Was the case heard before the assistant barrister?—Yes.

65. When?—The case was before the assistant barrister, I should say in about 1872 or 1873. The grounds upon which the process for our mortgage rate was dismissed was because the rates were consolidated. You will perceive that there is a library rate which is under a distinct Act of Parliament from the Town Improvement Act. We amalgamated our mortgage rate, library rate, and general rate in one rate of 1s. 4d. in the pound instead of making three rates. This book (showing in book) will show it. The 1s. 4d. is to all intents and purposes made up of three distinct rates. The assistant barrister held that the consolidation of these various rates took them all—that being had in part they were wholly lost. Those were the grounds of dismissal.

66. Has there been any objection made lately to the legality of the mortgage rate?—Yes; there have been some parties who refused to pay it, but we have taken proceedings against them. The committee recommended proceedings to be taken; the matter went before the board and the decision was that the parties should get another chance to pay the rate and the collector was ordered to call on them again. Some of those who had refused to pay it said they would pay when he called upon them but there certainly are some who still refuse to pay.

67. Do they object to pay on the ground of the 19th section of the Act of 1864 having been repealed?—I question if those parties knew whether that section was repealed or not.

68. I see by the accounts here that you levy another rate?—Yes; a library rate.

69. How much is it?—One penny in the pound.

70. Under what authority do you levy that rate?—Under the authority of the 16 & 19 Vic., chap. 40, an Act for further promoting the establishment of public libraries and museums in Ireland, our power of rating is 1d. in the pound.

71. What was the amount of that rate in the last warrant?—It was exactly one-third of the amount of the mortgage rate—that is £74 15s. 4d.

72. At what time of the year do the Commissioners strike their rates?—The rate was struck in October, but the warrant was signed in February.

73. Will you just look to the receipt side of your last account, audited by Mr. Collet? Do the different items of receipts mentioned there under the head of "Ordinary Town Account," viz.—the rates, Government allowance in lieu of rates, auxiliary allowance, licenses, fines from the borough court, incidentals, &c., comprise the entire receipts of the Municipal Commissioners as such for the year?—Yes.

74. There is an item of £36 mentioned as received from the Harbour Board for lighting the quay lamps. Do they pay the Town Commissioners for the lighting

DEPOSITS.
March 5, 1877.
Mr. Edward
Foster.

BRIDGEMAN.
March 8, 1911.
Mr. Edward
Fagan.

of those lamps?—They pay £3 per lamp for lighting lamps which are in the vicinity of the quays.

93. Now, look at the disbursement side of the account. Do you see the first item of expenditure on that side, "General repairs, £164 2s.?" what is that sum expended in?—It is expended on the pathways throughout the town.

94. The next item is £78 4s. 5d. for cleaning and watering; what is it?—For cleaning in the lanes and along dead walls, and for removing the rubbish—carrying it away. Two scavengers are employed for that purpose.

97. Is that the entire amount expended by the town for this year for scavenging purposes?—Yes; and of course it includes the cost of watering the streets in the summer time.

98. Watering the public streets?—Yes; they are watered by means of two watering carts that we have.

99. Can you tell the amount expended for watering the streets in the summer?—No; I could not well say how much. Cleaning and watering are included in one head for years past. I suppose it would be about £20.

100. At all events, that £78 4s. 5d. is all you have expended under that head?—Yes.

101. I see a charge of £376 10s. 5d. for lighting?—That sum represents considerably more than the contract for the year.

102. Can you tell me what it does represent?—There was an arrear of £193 14s. 11d. due to the gas company from the previous year.

103. By whom is the town lighted?—By the Dundalk Gas Company (Limited).

104. Of course at the expense of the Town Commissioners out of the rates?—Yes, out of the rates.

105. What is the last contract that was made for lighting the town?—(Witness reads in contract with the gas company.)

106. The Town Commissioners here are not, as I understand, the owners of the gasworks?—No, they are not.

107. I see by this document that the contract is with the Dundalk Gas Company (Limited) to light the town lamps from the 15th August to the 15th May in the following year, upon the terms that they are to be lit sixty-five minutes after sunset, and extinguished forty-five minutes before sunrise, except on moon-lighted nights; and the charge is £3 12s. 6d. per lamp, which includes cleaning and lighting and extinguishing?—Yes.

108. I see this is only an annual contract?—Yes, that is all.

109. At whose expense are the lamps repaired?—At the expense of the Town Commissioners.

110. Because I do not see anything about it in the contract?—No, it is not mentioned there.

111. How many public lamps are there in the town?—138 at the commencement of the existing contract, but there were three or four put up since it was entered into. That contract represents 138 lamps.

112. £3 12s. 6d. per lamp for that number of lamps would not amount to £576 10s. 5d.?—No.

113. Then how is it there is so much charged in the account?—You will find in the balance sheet for 1873 amongst the liabilities an accumulation of arrears amounting to £193 odd, which was paid within the last financial year, which is included in the amount charged to this year.

114. £193 14s. 11d.?—Yes; and then, of course, the cost of repairs, which would be something about £20, is also included in it. It would be about £20 for painting, glazing, and repairs.

115. I see that your next item of expenditure is £182 1s. 2d. under the head of salaries?—Yes.

116. I observe that for the last three years there is a slight variation in the amount paid as salaries?—Yes, as I see. The surveyor got an increase from £29 a year to £30, but I cannot explain the remaining difference.

117. I see £48 11s. 1d. charged for "sanitary expenses"—what are those?—They consist mostly of salaries.

118. Does that £48 11s. 1d. comprise the amount paid as salaries under the Sanitary Act?—Yes, the full salaries; but from that gross sum the allowance from the Local Government Board must be taken to find the amount paid by the Town Commissioners. That £48 11s. 1d. represents the full salaries paid to the different officials. There were my own salary as executive sanitary officer £10 3s., the Inspector's £13 12s. 6d., and the consulting sanitary officer's £30. These amount to £49 17s. 6d. of that £48 11s. 1d.; the balance—£10—was expended for other sanitary purposes.

119. £10 is charged in the account for pump repairs. Are those public pumps?—Yes.

120. Are there many public pumps?—There are twenty.

121. Is there a public water supply—a supply by means of high pressure?—No, there is not.

122. Do you see the next item of expenditure under the head of "mortgage rate as follows." The amount is £215 2s. 5d., and you make it up in this way—"Amount collected, £210 2s. 3d., and Government allowance in lieu of rates £15 0s. 6d.?" What is that last item for?—The Government allowance is apportioned in that way; it goes to pay off the debt on the town hall. I forward the Treasury department with an account of the manner in which we apply our rates, and they make the allowance in the same way.

123. Will you tell me what that next item of expenditure—£74 7s. 7d.—under the head of free library committee is?—£70 0s. 9d. is the actual rate which was collected by the collector on account of the free library rate, and £4 6s. 10d. is the sixth part of what we get from the Government in lieu of rates.

124. How is that £74 7s. 7d. applied?—It is paid over to the treasurer of the free library committee.

125. Where does that payment appear in your accounts?—I hand it to the treasurer, and get his receipt for it, and charge the amount paid, and I set down with it then. I have at the same time the audited account of the committee.

126. Yes, I see it is passed by the auditor?—I have the audited account of the committee as furnished to the board.

127. Is that money applied to defraying the expense of keeping up the library?—Yes; for paying the salaries and buying books.

128. Is that library free to the public?—No. A nominal payment of 4s. 6d. per annum is charged. Those who choose to take advantage of it at that rate can do so.

129. Is that free library in the Exchange Buildings?—Yes; in the Exchange Buildings.

130. Will you look to the "Exchange Buildings account" in the abstract of accounts. I see they commenced with a balance in their favour of £191 0s. 5d.?—Yes.

131. Their first item of receipt is £223 2s. 5d., the amount transferred by the Town Commissioners from the ordinary town account to this account?—Yes.

132. The next item of receipts is "Rents, £190 10s." Will you tell me what rents are those?—First the rent of a hall for one year ending 1st May, 1876, from the Harbour Commissioners, £10.

133. Is that for an office in the Exchange Buildings?—Yes; the Harbour Commissioners make use of our public rooms to hold their meetings once every fortnight, and inasmuch as the concern is in debt they pay us £10 a year.

134. Is that an annual letting?—Yes.

135. Are all the lettings annual lettings?—Yes.

136. I see that some small portions of the rents are struck off as irrecoverable?—Some of those items are a good while irrecoverable now.

137. Does that Exchange Buildings account represent on the one side the entire receipts with respect to the Exchange Buildings?—Yes; it represents it fully on the receipt side.

138. Will you look to the first item on the disbursements side of that account. I want some explanation from you about that item. It says—"Amount

of debentures Nos. 29 and 31, paid 25th March, 1876, £400 each, and then three follows on item of £110 for interest on debentures. Were those debentures any portion of the £4,000?—Those debentures are collateral with the date of the borrowing of that £4,000, and these are the actual documents relating to them (handing in documents). These are the actual debentures paid off in March last.

132. I see this debenture, dated 24th March, 1865, is issued for £100, in favour of the directors of the Belfast Bank?—Quite so.

140. Were all the debentures issued at that time issued to those directors?—Yes, and these were subsequently taken up by private individuals. This is the assignment of the directors of the Belfast Bank to the assignee (handing in assignment).

141. Did the payment of these debentures go in part liquidation of that debt of £4,000?—Yes.

142. Was the charge for interest on debentures, which follows that item of £200, interest paid on debentures being paid off or debentures due?—The entire debentures due, of course.

143. I see a disbursement, £15 13s. 6d, under the head of "newspapers"?—Yes.

144. Is it a public newspaper—open to the public?—Yes, at a charge of 21s. 6d. per annum for town members, and 15s. 6d. for country members.

145. Is the item of £115 12s. 6d, which appears on the receipt side of this account made up of subscriptions to this newspaper?—Yes, and the proceeds of sales of newspapers and so on.

146. In this Exchange Buildings account there appears to be a balance in favour of the trustees of £176 19s. 11d.?—Yes.

147. The auditor says, "Balance in favour of the Town Commissioners, as per bank book £222 1s., after deducting the amount of an unpaid cheque, £200." There was an unpaid cheque outstanding at the time?—Yes, and there is still.

148. A cheque not presented yet?—Yes.

149. With respect to the collection of the rents, is it the duty of the collector to collect them?—Yes.

150. Is he required to lodge the amount of his collection in the Bank?—Yes; certainly he is.

151. Is there any minute or by-law with reference to his lodgments? How often is he required to lodge?—I think our minute says fortnightly.

152. Does he, as a matter of fact, lodge fortnightly?—I think that at the commencement of the collection he lodges more frequently.

153. Have you got the bank book here?—Yes (handing in the bank book). The first lodgment was on the 1st March, and he seems to have gone on pretty rapidly since that date.

154. Does the collector give security?—Yes, his bond for £400.

155. Are there sureties in that bond?—Yes; it is a joint and several bond of £400.

156. Are the sureties living?—As I understand they are both living.

157. Does Mr. Collet, the auditor, require that bond to be produced before him?—I think I never produced it to him, but he is entitled that it is a proper legal document, which in fact it is.

158. With respect to the annual collection of the rates; what means have the Commissioners of knowing the amount of rates outstanding and uncollected? Is it the duty of the collector to bring the state of the collection before the Commissioners, or before any committee of that body?—As a matter of fact the Commissioners do not insist upon that being done, the collector is furnished with a book for the purpose of making the collection. It is exactly the same as the post-law system of collection. He is furnished with a little abstract book in which all the receipts are put down, and there is a summary at the end of the book which would show the state of his collection at the end of any week.

159. Is that book ever submitted to the Commissioners or to any committee?—There is a committee

appointed at the close of each collection for the purpose of separating bad and doubtful rates from those that, from some circumstances, have not been got in, but may be good.

160. Is that only once a year?—Only once a year, when the committee sit for that purpose. The collector is ordered to submit his book at the meeting of the Board every week during the progress of his collection.

161. He has further to submit his collection-book at every meeting of the Board?—Yes; while his collection is proceeding, which is only about one-third of the whole year. In point of fact, the order requires him to finish the collection in three months.

162. Does he submit his collection book to the Commissioners at every meeting?—Well, it is brought up, but really the Commissioners do not require its production particularly. It is available whenever it is called for. I have also directions from the Board to compare the books of his receipts with the entries in his collection-book, which I do regularly while his collection is proceeding, on convenient days. Generally I do it once every fortnight, or may be every three weeks sometimes, and my initials are placed opposite the sums which I have checked off, between his book and the collection-book; so that that to some extent satisfies the Board.

163. This account was audited by Mr. Collet on the 27th December?—Yes; the report is dated the 27th December.

164. And I find the arrears of rates are returned there as £118 2s. 7d.?—Yes; we struck off since then, in the month of December, £23 15s. 5d.

165. That amount was struck off in the month of December?—Yes; here is the minute—

"12th December.—Ordered that £23 15s. 5d. be struck off as amount of current year, and £15 14s. 6d. as amount of amount."

166. That £23 15s. 5d. cannot be part of the £118 2s. 7d.?—You will observe that the accounts are made up to June, and he only balanced the transactions up to June. Anything accruing in June would go into the coming year.

167. Are they struck off at the full meeting of the Commissioners?—Yes; upon the report of the committee. They are investigated by a special committee appointed exclusively for that purpose, and their action must be approved of by the Board.

168. What is the full amount of the debenture debt now outstanding?—£2,000.

169. Do the Town Commissioners owe any other debt?—No, they do not.

170. Is there any other charge on any other rate?—No.

171. Do any of the other officers of the Commissioners give security by surety or otherwise?—I do.

172. In how much?—I think it is £200.

173. Is it by bond?—Yes.

174. Is that bond in the Commissioners' office?—It is in the solicitor's office. I never saw it since the day I signed it.

175. Are there sureties?—There are two sureties.

176. Are they living?—They are both living.

177. Is the town in different baronies of the county Louth?—No; the borough forms part of one barony. The warrant for collection of county rates is made up according to baronies, and we have to approximate the portion of the levy on the borough. The levy was 1s. 11d. in the pound on the total valuation of £10,804 15s. for the year 1876.

178. Does 1s. 11d. represent two levies?—Yes; the two levies for the year.

179. What was the total amount of the levies?—About 1,800.

180. Do the Grand Jury of Louth keep the streets of the town in repair?—Yes.

181. By their contractors?—Yes; it is their duty to do so. Our streets did fall out of contract, and gave a good deal of trouble to the Town Board last year, but the county surveyor at the last session took up the contracts again.

DEBATE.
JANUARY 2, 1877.
Mr. Edmund
Farrar.

DUBLIN.
March 3, 1897.
Mr. Edward
Fergus.

182. Do the Grand Jury contribute anything at all towards keeping the flagging in repair?—It is a long time since we got anything for that purpose. In previous years we certainly did. We got a grant of £32 for one of the pathways in the town.

183. Do the Grand Jury keep the pathways in repair as well as the streets?—Certainly they do not. Our

streets are generally paved and not flagged. The borough contribution towards the county-at-large expenses for the year 1876 was as high as £1,941. For the summer half year, £853, and for the spring, £1,088, making a total of £1,941. Inasmuch as the valuation of the borough is £31,060, the proportion of that county-at-large charge, payable by the borough, should be £732.

Mr. John
Murray.

MR. JOHN MURRAY examined.

184. MR. LAWLESS.—Are you the town surveyor?—Yes.

185. How long have you held that office?—For about five years.

186. What are your duties as town surveyor?—Principally to look after the sewers and drainage of the town.

187. Do you mean to superintend the making of sewers?—Yes; and the repairing of defective sewers.

188. You keep them in repair?—Yes.

189. Have you anything to do with keeping the streets of the town in repair?—No, not the streets; only the footways.

190. Is it the duty of the county surveyor to look after the streets?—Yes.

191. Has he charge of the entire streets of the town?—No; only those presented for by the Grand Jury. The Commissioners take charge of the narrow streets and courtways.

192. Have you done any sewerage work in the town recently?—When it is contemplated to form a new street, the first thing I require to be made is proper sewerage. That, however, has only occurred in one case.

193. Under what powers do the Town Commissioners require the people making a new street to construct sewers?—Under the Town Improvement Act.

194. What is the condition of this town as regards main sewers and drains? Is it well sewered?—A portion of it has been very well drained some fifteen or sixteen years ago, but another portion of it is really defective, for want of extension of the drainage system.

195. Have the Commissioners been doing anything recently to improve the system of main drainages?—Not with regard to the main drainage; but an application was made some two years ago to the Grand Jury to have the drainage placed on the whole county, but it was rejected.

196. When was that application made?—About two years ago. It is a matter of very great importance to have it extended.

197. Who brought the matter before the Grand Jury?—The Town Commissioners.

198. What was the object of the application? Was it to extend the system of sewerage at the expense of the county generally?—Yes; its extension to the hospital was much required. The proposed extension to the gaol and hospital would embrace a very important district of the town, and one where it is badly needed. The district I refer to is up Dublin-street, where the houses have six or nine inches of water in them when the high floods take place. I made a complaint about the state of the drainage in that locality.

199. Was your complaint made in view of the application to the Grand Jury?—Yes.

200. Is the hospital you mention the Union hospital?—It is the county hospital.

201. Do you say that those two establishments, the hospital and the county gaol, are at present without a proper system of drainage?—Certainly. The sewage from the gaol passes through Lord Roden's demesne, and it is really most offensive all round that neighbourhood. It is quite open, and there is a National school near it, so that I do not know how the creatures manage to bear it. There is nothing but the roadway between the school and the county gaol. The sewage from the hospital first passes over into Lord Roden's demesne, within a few yards of the school, and empties into what I would call a cesspool.

202. Is this place within the municipal limits?—Yes, it is.

203. Does that sewer, as it at present exists, constitute a nuisance?—Yes. The sewerage is sufficient as far as it is made. It is quite perfect till it enters Lord Roden's demesne.

204. Where does the sewage go after it enters Lord Roden's demesne?—Into the open ditch, and afterwards I think into a small lake in the demesne. It is a great nuisance.

205. You mentioned some other place in Dublin-street?—Yes; when the river rises the whole of the townships in Dublin-street are completely flooded. We have no means of preventing it. We keep the bed of the river cleaned, but it is of no use.

206. Where does the river discharge into?—Into the sea. The sanitary officer can speak more fully about this matter than I can.

207. Did the County Grand Jury have their refusal of your application on the fact that the Town Commissioners were the urban sanitary authority, and ought to do the work under the Sanitary Act?—No; the county surveyor said that the upper portion of the county was against expending any money for the benefit of the town of Dublin.

208. Do you know whether the houses in the town are, generally speaking, connected with the main drains where such exist?—Where there are main drains the people in most cases take advantage of them at once, and make sewers from their houses into the main drains.

209. Have the inhabitants of houses been required by the Commissioners to do this?—We always give them notice to do so.

210. From your statement it would appear that there must be many streets in which no such connections can be made?—Yes.

211. Have you any means of having such main drains as there are in the town flushed?—Yes.

212. How do you do it; you have no public water supply?—We have the river. We can at all times turn the water of that river into the town sewers.

213. Is that ever done?—Frequently in summer; and during high tides in the winter the tide comes up a considerable way in the sewers.

214. As I understand there is one main sewer?—Yes; there are old existing sewers, and we try to do with them the best way we can. I should also state that in the main streets the main drainage is pretty good, because all the houses on the west side of that street discharge their sewage into Lord Roden's demesne, and there is a very good drain there.

215. What sewerage is available for the other side of the street?—There is a very old sewer.

216. With respect to those sewers which you say are available for Clontarf-street—is there any means of flushing or cleansing them?—No, there is not.

217. Are you acting under the Town Commissioners as sanitary authority?—I assist, of course. I should say I am the sanitary surveyor. When the sanitary officer recommends that I should visit and inspect a place of which complaint has been made it is my duty to do so.

218. Do the Commissioners exercise any control over the erection of new houses?—Decidedly they do. The rule is that the plans must be deposited with the Commissioners before commencing to build houses.

219. And are the plans submitted to you?—The plans are submitted to me, and if I find that the conditions are all complied with I advise the Commis-

sioners to pass them. If they are defective in any way I advise their rejection.

219. What are the conditions generally required by the Town Commissioners?—First of all, that the site is suitable for the tenements about to be erected.

220. Do they require that proper drains should be made for the houses when they are being erected?—The plan of the drainings is the first thing submitted.

221. Do you require that houses about to be built should be provided with proper privy accommodation?—Yes; everything of that sort; ventilators and everything of that sort.

222. Is it your duty to see that houses are not built until proper means of drainage is provided?—I insist on that the first thing.

223. Before whom does your report containing your approval or disapproval of any plan go: is it before the Commissioners?—Yes.

224. Does it ever happen that your reports are disapproved of or discredited from by the Commissioners?—There was only one case in which that happened; and it was a very trifling matter. I objected to a sort of store being turned into tenement houses.

225. On what grounds did you object to it?—Because there was no room, or any place for the necessary accommodation.

226. It was proposed to make the store into houses?—Into tenements; the approach was by a gateway, and the rear of the adjoining premises was so limited (not more than eight feet), that I thought it was not sufficient.

227. When you sent in your report disapproving of that plan (which it appears to me you were right in doing), your objection was overruled, and the plan approved of?—Something of that sort took place.

228. To whom did that property belong?—To a person named Grant.

229. Was he a member of the municipal body?—No; he was not.

230. Have you anything to do with seeing after the condition of the public pumps?—Yes.

231. If one of the pumps gets out of repair, whose duty is it to report it?—It is the duty of the nuisance inspector. He is bound to report it to the contractor.

232. What do you mean by the contractor?—The repairing of the pumps is let out by contract. The inspector immediately notices the contractor and calls on him to have the pump repaired within a certain time. If that is not done, the inspector has instructions to get it repaired himself, so that the public may not be put to any inconvenience.

233. Do you know whether the Commissioners have ever had the water from these public pumps analysed?—I believe not. I am aware that sickness broke out in the school.

234. What school?—A school called the Market Fathers' School; a very large establishment.

235. Was that outbreak of sickness the result of the bad quality of the water?—It was attributed to the bad quality of the water.

236. Have you anything to do with the scavenging in the town?—No. That is done by the contractor for the streets under the Grand Jury. We make it a rule, that all householders must clean before their doors.

237. Is the scavenging done by a contractor?—Yes; whoever has the contract for repaving of the streets does it also. It is part of his contract.

238. Is watering the streets included in that contract?—No; that is done by the Town Commissioners.

239. Is it well enough done, because I may say there appears to me to be very little money expended for that purpose?—I should say it is very well done. We have two carts for that purpose.

240. Are the small streets of the town watered as well as the principal streets?—No; we confine the watering to the principal streets.

241. Do you know what is done with the sweepings of the streets—with the manure?—When our last contractor was doing the work the sweepings were deposited on the Fair Green, which is a portion of land that was reclaimed from the river.

242. Is the manure taken from the streets sold by the Commissioners or given to the contractor as part of his remuneration?—It is used for the purpose of filling up places that require to be filled up.

243. Are the fairs or markets held in the streets of the town here?—Hitherto they have been, but since the establishment of the Fair Green they have been held in that neighbourhood.

244. When was that Fair Green established?—Some six or seven years ago.

245. Is it adjoining the town?—It is in the town, and will be a very suitable place when all the arrangements are perfected.

246. Are there any public markets here?—None except the Market square, where hay and corn are sold.

247. Is a public market held in that square?—Yes; the corn market is generally held at the lower end of the town—at a place called Church-street.

248. Are markets held in the other streets through the town?—Yes; but the corn merchants assemble in the Exchange Buildings.

249. Do I understand you to say that the fairs are now held in the streets?—No.

250. The town is not now exposed to that nuisance?—No.

251. Do you consider that the holding of the markets in the Market-square and in the streets constitutes a nuisance?—Yes, a very great nuisance.

Dr. JOHN BROWN examined.

252. Mr. LAWRENCE.—Are you one of the sanitary officers in this town?—Yes, the consulting urban sanitary officer.

253. Have you a sub-sanitary officer under you?—Yes, one.

254. He makes reports to you?—Yes, which I investigate and report on to the sanitary authority.

255. How long have you been acting in your present capacity?—Since October, 1874.

256. Do you find in the course of the discharge of your duties as sanitary officer that the reports which you present to the Commissioners have been properly attended to and acted upon?—Generally speaking they have. My book will show you the amount of sanitary work done. (Hands in sanitary book.)

257. I see the entries here begin in 1874?—Yes. I think there were about eighty-four reports made since then.

258. You have a book, I suppose, and retain the book of it?—Yes.

259. Is there any other book kept by you or the

Commissioners?—Yes, this book (handing in one), which I write out myself.

260. I find here a report made by you so far back as November, 1874, with reference to Rafferty's lane, off Church-street, and your observation is "that the houses in this lane are scarcely fit for human habitation." What has been done in consequence of your report?—They were merely cleaned.

261. Is this place the property of Mr. Rafferty?—Yes; I think it properly belongs to Lord Roden, but Rafferty is the middleman. Nothing has been done beyond cleaning the lane, putting the houses in better order, and erecting a small privy at the end of the lane.

262. How many houses are there in Rafferty's lane?—Seven, I think, occupied.

263. Are they now fit for human habitation?—I do not consider that they are. There is no room whatever to the houses. There is a privy erected at the end of the lane, and it is only by forcing it kept well cleaned that the place is in any sort of sanitary condition.

264. Did you ever on any subsequent occasion

DEBARK,
MARCH 3, 1875.
—
Mr. John
Murray.

Dr. John
Brown.

DEBARR.
March 3, 1871.
Dr. John
Brewer.

report efforts to be in a bad state?—No; my attention is generally drawn to these places by the sub-sanitary officer. I have spoken of the condition of this place at a meeting of the Commissioners, but I have not reported it a second time.

251. Was any report made to you about it since?—Never since.

252. Is it kept in a better sanitary condition now?—Yes, a good deal better. There is a very considerable improvement in that respect.

253. I find a report of yours in January, 1873, respecting a house occupied by a woman named Edgely Murphy?—It has since been repaired and put in order.

254. One of the complaints about it was that cattle were kept in the house?—Yes.

255. And you observed that this house was one of the most filthy you ever visited?—Yes.

256. Does the practice exist in this town of people keeping cattle or pigs in their houses?—They rarely keep them in the houses, but they keep them in the yards adjoining the houses.

257. Does the sub-sanitary officer report such a state of things?—Yes. A good deal has yet to be done with reference to this matter, and also with reference to the accumulation of manure in the yards.

258. Your reports, I find, were altogether eighty-four in number?—Yes; all but seventeen of these reports were complied with, and since then some others have been acted on. Two Commissioners were appointed to go over the books with me to see how much work was done, and what reports were left unattended to.

259. And the result of your examination of the books was that seventeen of those reports of yours remain still unattended to?—Yes.

260. Can you say whether or not the Commissioners have since taken steps to deal with those remaining cases?—Yes; in some they have. They brought them before the court of petty sessions, and have exercised their compulsory powers to have the work carried out. This winter has been such an extremely wet one that very little could be done in the way of sanitary improvements.

261. Can you say in what condition are the houses in this town as regards domestic accommodation, such as privies and water-closets?—We look after the state of that accommodation as much as possible and a great improvement has been made since the Sanitary Act came into force. The houses in this town are very numerous, but we have got a good deal of work done in them. We erected two privies in Hill-street and one in Wynne-street, and one or two in the lower end of the town. Before that time the people were very badly in want of accommodation of this sort.

262. How many of those public privies are there altogether?—There are eight of those public privies constructed.

263. Are they under the care of the sub-sanitary officer?—Yes.

264. He sees that they are cleared out regularly?—Yes.

265. Who does that work?—The men employed under the sub-sanitary officer.

266. I presume that in the different districts in which it was necessary to construct those eight public privies, the houses are, generally speaking, without any back houses at all?—Yes.

267. Have the Commissioners taken steps to cause the erection of privies in private houses where there are none?—There has been a great deal done in that way &c. So far as we could we compelled the people to erect privies to each of the houses; but of course that has only been partially done in consequence of the defective drainage of the town, to which Mr. Murphy has referred, particularly Dublin-street and Anne-street.

268. Is the defective state of the sewages of the town the great evil?—Yes; it is a very great evil. I can refer you to Stapleton-place which for five or six weeks was flooded to the depth of four or five inches. I went into one house there and we had to approach the fire-place on planks. In Hill-street a large num-

ber of houses are regularly flooded. The bridge at the upper part of the river is too small and would require to be enlarged. The Rampart river is a fearful nuisance in the winter time, and it is also a nuisance in the summer owing to the smell that arises from it. Dogs and cats and dead animals of every sort are thrown into it. The bridge at Hill-street is defective in point of size and will not allow the water to pass through.

269. Do you mean that the outfall of the river is too small?—Yes, and it is also imperfect. A portion of the water of that river is diverted into our main sewers for the purpose of flushing them.

270. Do you mean at all times, or only at intervals?—Sometimes they put a board on the grating to prevent the water from coming through. During all high tides the water runs through our main drainage and cleanses it perfectly. Two of our pumps were injured by reason of the water getting into them. I got the handles taken off till the water subsided again.

271. Was it the water from the river?—Yes.

272. Did you hear the evidence with regard to the state of the drainage from the hospital and goal?—Yes; all that put drains into an open sewer in the drainage. In the summer time it gives forth a very bad smell. It is quite close to the male and female National school.

273. Is that in your opinion a nuisance dangerous to health?—I think it certainly must be so.

274. You were talking about the water percolating into two of the pumps. Have you had the water analysed?—Not except in the rough way in which I could do it myself. I found a good deal of organic matter in some of them. We have no public analyst owing to some misunderstanding between Dr. Cameron and the road session, who offered him his remuneration that he would accept. It is very important that we should have one.

275. In how many of the pumps did you find much organic matter?—Two of them.

276. Are those the two you mentioned as being affected by the water from the river?—Yes; one is in the centre of the street near the barrow, in what is called Roden-street. The other is in Hoyle's-court. These two are polluted in the way I have described. There is a third one at the entrance to Nicholas-street which is situated near a grave-yard.

277. With regard to the first two; have they been shut up?—They are very bad.

278. Do they contain much organic matter?—I cannot say that; there is saline matter. They were so bad that I applied to the sub-sanitary officer to have them shut up.

279. Are they now closed?—No; it was merely at the time they were flooded that there was anything salient.

280. Have you ever had occasion to take the handles off them more than once?—Yes; it has been done on several occasions.

281. You mentioned a third pump?—Yes; a pump which is in close proximity to a grave-yard.

282. Is it a public pump?—Yes; and is near the Protestant church, the Church of Saint Nicholas.

283. Have you examined its water?—I have examined it partially, and I find it abounds in organic matter.

284. Do you consider it to be unfit for human use?—I really think it should be closed up. There is another pump in the same condition opposite the entrance to Linn Hall-street.

285. Is the water in it also impregnated with organic matter?—Yes. Some of the pumps are Abyssinian pumps, and they give very good water.

286. When were they erected?—They were erected at various times during the past few years. The others should be done away with, and the Abyssinian pumps made use of. We have no sufficient supply of water for fire and other purposes.

287. Does the existing supply ever fail in the summer time?—The supply from the Abyssinian

DEPOSITION
March 6, 1877.
Dr. John
Rowson.

people does not fail, but that from the others does sometimes.

228. Is there any public water supply by gravitation?—No. There was an effort made once or twice to get it, but it failed to succeed. We could not get the water at a less distance from the town than three or four miles. Even at that distance it is doubtful if the supply would be good in the summer.

229. Is St. Nicholas' graveyard that you mentioned inside the town?—Yes; we have two graveyards in the town.

230. In what condition are they?—St. Nicholas' graveyard is kept in a very bad state. St. Nicholas' is the other. I think they are both more than full.

231. Are there any interments made now in that St. Nicholas' graveyard?—No new graves are allowed to be made; but members of old families are allowed to be buried in it.

232. Was there an order from the Privy Council to close it?—No; it was merely an order made by the Commissioners forbidding any persons to bury there who were not connected with the town.

233. Is it your opinion that it should be closed up altogether?—Yes; decidedly, it is. I think it is time all graveyards in towns should be closed even if they are not so full as ours. I speak more particularly of our own, and I think they should be closed up.

234. In your opinion is the condition of these graveyards likely to be injurious to the health of the town?—Yes; if there was an outbreak of fever it would be unsafe and most injurious to continue to bury in them.

235. Are they properly kept or are any regulations made with regard to interments?—No; asking beyond ordering the grave-digger to make the grave a certain depth.

236. Have you, in the discharge of your duties, occasion to visit the lodging-houses in the town?—I have never visited them in a sanitary point of view.

237. Have you ever been required to visit them?—No; I have not. They have been very well looked after by the sub-sanitary officer. He states they are all in a very good condition. In any of them I have seen I could not say any more was anything to complain of.

238. It has been stated that the fairs are not held in the streets?—There is only one fair held in the streets—the fair on the 17th May. They still claim the right to hold it on the streets. The others are held on the fair-green. It is called the fair-green, but I am sorry to say it is not one. It is kept in a very wretched order, and I should say, as sanitary officer, that it should not be allowed to continue in the state in which it is at present. Nothing has been lately done to put it in order, except to cleanse the stuff that is being thrown into it. The fair-green was a piece of slob land taken from the river. It has been reclaimed by a road running along the roadside, and is only partially filled up. I wanted to get some work done that would have very much improved the fair-green, and I brought the matter forward but it was put aside, and the matter remains in the same way still. It is in an unsanitary state, and I consider it a great nuisance. It could be greatly improved by the expenditure of about £100 or £150. One of the things that heretofore prevented any improvement from being effected was that the title to the ground on which the fair-green is, is doubtful. The late Lord Roden gave it to the Town Commissioners, but these never saw a lease of it made to the Commissioners, and they of course felt some reluctance to spend money on it till they were fully satisfied as to their rights.

239. Have they considered the matter?—I have brought it before them a number of times, and I even went so far as to offer a certain sum of money for carrying out these improvements, provided a sufficient sum was raised without applying to the public funds. It was not taken up in the spirit in which I thought it might be, and there it remains still.

240. Have you ever had any occasion to make

reports on the state of the slaughter-houses?—Yes; I should say that there are nine slaughter-houses in the town, but we have no public one. An offer was made by me to get a slaughter-house, but that was not taken up in the proper spirit. Those who have slaughter-houses already were very much opposed to it.

241. Are those slaughter-houses registered?—Yes; I believe they are.

242. You say you had occasion to make reports about the slaughter-houses?—Yes; I reported on two of them. There are nine altogether.

243. I see in this book a report made on the 6th January. The complaint was that there was a manure-heap kept there; and notice was served to have it removed. Now, has the sub-sanitary officer visited that slaughter-house since the notice was served, has the nuisance been removed, and have you had occasion to report on that one again?—I had to report it again yesterday.

244. Is it your duty to lay your reports before the Commissioners?—Yes.

245. There is another report dated March, 1876, about a slaughter-house?—Yes.

246. Has it been complied with?—Yes.

247. The slaughter-houses should be cleaned out after every killing. Do you know if that is done here?—I think not. There is a portion of the town in which there are no sewers.

248. Is that slaughter-house in that portion of the town?—Yes. No public sewer reaches it at all.

249. Do you find that contagious disease prevails much in Dundalk?—No; very little. I seldom see a case of fever.

250. Have the Town Commissioners any disinfecting apparatus?—No; they simply employ general remedies when houses require to be disinfected.

251. Is it the duty of the Inspector of nuisances, or town surveyor, to see that the houses of the poorer class of people are kept properly in order?—Yes; it is. A great many of the houses are badly constructed. They have not sufficient drainages, and so on, and without pulling them down nothing could be done.

252. Is the water of the Ryeport river, which you mentioned, polluted with sewage matter?—Very slightly: only at one point, and that is owing to the defective state of the drainage of Dublin-street.

253. Does it receive sewage only at that one point?—Yes, and very little of it there. Only a small portion of the sewage entered is at that point.

254. Is the water from the Ryeport river used by any mill or manufactory?—It is used by the distillery company for the manufacture of whiskey, and, of course, it is used by some other parties for steam-engines. My impression is that the distillery company claim the right to use it.

255. It is used by other people for engine purposes?—Yes, it is used by Mr. Kidd's mills.

256. Is it at a point above or below the distillery that it is used for condensing purposes by Mr. Kidd's mills?—It is above the distillery.

257. Is it above or below the point at which the sewage matter enters it?—It is below it.

258. Can you describe the point at which the sewage matter enters it?—It passes down behind what is called Wynne's lane, and enters the river through a garden there. There is very little sewage goes into it. It is not so much sewage as the surface water from the streets during the time of a rainfall. There are a number of houses in Hill-street, the nuisance from which must, more or less, enter the river.

259. Is that above the distillery?—Yes, it is above the distillery. There must be more or less pollution there.

260. Is the distillery which uses this water inside the town or outside?—It is inside the town.

261. When this Ryeport river enters the town it receives some pollution from Hill-street; then as it passes down it is slightly polluted by sewage from Dublin-street, and from Stapleton-place, and from the

DUNALAK,
March 3, 1872.
Dr. John
Brewster.

places where you say you erected public privies?—Yes; but it does not receive any pollution from the privies.

332. Then it is used by the distillery?—Yes; that is the next.

333. Then by Mr. Kidd's mills for condensing purposes?—Yes, lower down.

334. Is the water when it is used for condensing purposes, turned into the river again?—Yes, between Mr. Kidd's mills and the distillery there is a tannery; formerly there used to be two of them, now there is only one.

335. Is the water used by the tannery?—Yes; and it gets pollution from it. There are two steam mills for sawing timber, which also use the water for condensing purposes; they are situated a little lower down than the tannery, and above the distillery.

336. Do the steam saw mills use the water for condensing, and then return it to the river?—I do not think they are condensing; I think they are high pressure.

337. Is the water from that river used by any of the people for domestic purposes?—Not that I am aware of. They may use it for washing potatoes, and for washing clothes, but I am not aware that it is used by anyone for drinking purposes. The water is taken from the Rineport river for the use of the distillery by a drain or pipe, from a place on the river above where it receives any pollution from the town, or from any mills or manufactories.

338. Can you give me any information about the bakeries?—No, not much; they are principally on a large scale. Mr. Kidd has one on a large scale, and Mr. Kelly has another; there are several others in the town.

339. Do you know if there are any complaints with regard to any of them?—No, I have heard of no complaints. The only one I myself had to complain of was a small bakery belonging to a man named Cullen, living in Church-lane. I had to complain of it once or twice.

Mr. LAWLER
Clerk.

Mr. LAWLER CURRAN examined.

340. Mr. LAWLER.—Are you the inspector of nuisances?—Yes.

341. What are your duties in that capacity?—I go round the town and visit the back streets and lanes, and any culms in which, knowing the town as well I do, I suspect there is an accumulation of manure, or any other nuisance. When I find a nuisance existing, I either call on the parties to have it removed, or serve notice on them to have it done within forty-eight hours. These notices are generally attended to.

342. Do you serve notice on them without waiting to get directions from the Commissioners?—When there is a great accumulation of filth I do.

343. What steps do you take if your notice is not attended to?—I then summon the party who is responsible for creating the nuisance to the borough court.

344. Do you mean to the petty sessions?—No; to the borough court; there is a borough court held, in which the chairman of the Town Commissioners presides.

345. Is it your business to see that whatever nuisance is complained of has been abated?—Certainly.

346. And do you see it done?—I do. The borough magistrate generally gives the parties a week to do it, and if, at the expiration of that time, there is a repetition of the offence, fines, varying from 2s. 6d. to £1 are imposed.

347. Do you, on any occasions, make reports to Dr. Bowen?—Yes.

348. Do you make a report to him on every occasion in which you think it necessary to serve a notice on the offending party?—Yes; except in trifling cases.

349. Suppose the people in those cases do not clean out the places as they ought to do, do the Commissioners take any steps to compel them to do so?—In every instance I bring them before the Justices. In all the yards which I reported to the doctor, the drainage is defective. I report to the doctor, and he afterwards reports to the Commissioners.

350. Do you mean as regards private yards?—Yes.

351. There must be a good many houses in this town without domestic accommodation?—So far as we have gone, we found great difficulty in getting things done on account of the bad drainage, and it is a matter of impossibility to carry out the sanitary laws when proper drainage is not provided.

352. Are the common lodging-houses registered in this town?—They are.

353. Do you examine these?—I do.

354. How often?—There are only fourteen common lodging-houses in the town at present. The Town Commissioners closed up a great many of them. A good many of those that were pulled down belonged to Lord Roden.

355. Now there are only fourteen?—That is all.

356. Have there been any regulations or by-laws published by the Town Commissioners for the control

of these common lodging-houses?—Yes; when they come in to get their houses the town clerk gives them a copy of the rules and regulations.

357. How often do you inspect these lodging-houses?—Sometimes I do it daily, and sometimes, perhaps, only once in a month. I generally inspect them on market-days. Some of them are really beyond all suspicion. Lately tramps get a night's lodging in the workhouse, and for that reason there are no tramps to be found in the lodging-houses. It is principally doctors, and people of that class who stop at the lodging houses now.

358. Do you find that the regulations of the Town Commissioners are attended to, generally speaking, in the lodging-houses?—They are.

359. Is it your duty to report any breach of their observance to the sanitary officer, or do you report to the Town Commissioners direct?—I report to the Commissioners, or else I summon the person who keeps the lodging-house; but I have not had occasion to do anything of the kind for a number of years past.

360. Do you say that these places are now all properly kept?—Yes, they are; there are no low lodging-houses in the town at present.

361. Is it your duty to inspect the slaughter-houses?—Yes, it is.

362. How often do you inspect them?—I inspect them daily.

363. I think it was stated that there are nine slaughter-houses in the town at present?—Yes. I think there is nothing offensive in any of them. I go into them and inspect them daily. Some of the people who have slaughter-houses held land in the immediate neighbourhood of the town, and they remove the manure every week. They are all properly situated with the exception of two, but they were in existence before the adoption of the Act of Parliament.

364. Does one of those two you refer to belong to a man named Finnegan?—Yes; and the other to a man named Maginn.

365. Do you require these slaughter-houses to be cleaned out after every killing?—Yes, certainly. They are all drained and bricked with the exception of the two I mentioned. I summoned the owner of one of them in consequence of his not having it properly enclosed.

366. I suppose you often have occasion to notice people for having manure-heaps too near their houses?—Yes.

367. Have you ever had occasion to notice people for keeping animals in their houses?—Yes; but not in more than two or three cases during the last three years. There is nothing of that kind practised in Dundalk at the present time.

368. You think the practice has now died out?—I brought nine or ten cases under the notice of the doctor, in which they were kept close to the dwelling-

houses, and they were removed by the people at once.

369. Do you know the condition of that place through which the sewage from the hospital and the gash passes?—I do.

370. Is it to your knowledge in the condition described here to-day by Mr. Murray, the surveyor, and Dr. Brown?—It is; the matter was many times before the Town Commissioners. Lord Riden stated to the Grand Jury that he would stop it from going into the cesspools. The hospital premises are drained into a cesspool, and there is a branch drain which takes off the sewage from the gash, and carries it into an open drain near the male and female National school. It has a very bad fall.

371. The drainage from both the hospital and the gash goes into that place. I understood from Mr. Murray that the sewage from both goes ultimately into the same drain?—No; it does not. I am not aware of that. There is a cesspool immediately in connexion with the hospital premises, into which the sewage passes. How that cesspool is cleaned I do not know. There is no drain but for the surface drainage.

372. You say the hospital sewage goes into a cesspool in connexion with the hospital?—Yes.

373. Is there any drain or sewer leading from that cesspool?—There is not.

374. Is that cesspool within the hospital premises?—It must be, of course. There is a large garden attached to the hospital premises.

Mr. JESSE DUCKETT examined.

384. Mr. LAWLER.—You wish to make some statement I believe?—Yes. I wish to state that I have no lighting. I have resisted the attempt of the Commissioners to obtain these rates from me, on the grounds that the assessment was illegally made. The rates were made in globe, and the chairman held that they were illegal. Of course I do not wish to make any question except so far as I myself am concerned. I resisted the payment of the water rate on the grounds that the Commissioners had no right to levy a water rate. There was an assessment of 4d. in the pound for a water rate, and they did not supply us with water within the meaning of the section of the Act of Parliament. The chairman held that it was an illegal imposition, and the rate was quashed. The Town Commissioners expended £60 or £70 in keeping the

375. Do you know how that cesspool is cleaned out?—No; I do not. I know there is a cesspool in connexion with the National School, it is an open cesspool and it is cleaned out frequently.

376. That I presume receives the sewage from the school?—It does.

377. And that cesspool I understand you to say is frequently cleaned out?—Yes, it is cleaned out and the contents are sometimes emptied on the land.

378. Has there been much work done here in the way of providing houses with sanitary accommodation?—There has been work of that sort done.

379. Do the Commissioners force the people to do it?—Certainly.

380. And in the case of new buildings, I suppose the Town Commissioners require them to be provided with all the necessary accommodation?—Certainly; before they commence to build the houses they are bound to submit the plans for the approval of the Commissioners, and if I see any digression from the plan when the houses are building, I call the attention of the surveyor to it.

381. Is it your duty when the house is erected to see that the requirements of the Town Commissioners have been carried out?—Certainly it is.

382. Did you read Dr. Brown's description of the Ruspert River?—Yes; I am aware of the condition in which it is, and I may say that I have called attention to it on many occasions.

383. Do you concur with Dr. Brown in his statement with regard to that river?—I do.

DEBATE.
March 11, 1877.
Mr. LAWLER.
Curran.

Mr. Joseph DUKETT.

ARDEE—MARCH 12, 1877.

(Before Mr. Commissioner LAWLER, &c.)

Mr. JOHN F. EKINS examined.

1. Mr. LAWLER.—Are you the town clerk of Ardee?—Yes.

2. How long have you been town clerk?—A little over three years. I was appointed town clerk in December, 1873.

3. Under what Act are the Town Commissioners of Ardee appointed?—Under the Towns Improvement (Ireland) Act, 1854.

4. When was that Act adopted here?—I think it was in the year 1855 or 1856.

5. Immediately after the passing of the Act?—Yes; before that the Commissioners were appointed under the 5th Geo. IV., cap. 82.

6. How many Town Commissioners are there?—Nine.

7. Are there nine Commissioners acting now?—No, one of them has sent in his resignation.

8. What is his name?—Mr. Matthew Kelly.

9. Who is the chairman of the Town Commissioners?—Mr. Anthony Smith.

10. Is he at present acting as chairman?—No; he

pumps in order, and the remainder was applied to general purposes.

385. Do you mean to say that they never adopted the provisions of the Act referring to a water supply?—No; but they assessed the town just as if they had adopted it.

386. Do they levy a water rate now?—Not since I brought the case before the chairman.

387. When was that?—Last year, and the year before. I was prosecuted for the rates, and I defended the process.

388. I see that they did levy a water rate in 1874?—Yes. I think I live within the limits of the area of taxation, and I pay taxes to the amount of 1s. 4d. on my dwelling-house, but I derive no benefit from it whatever. There are other persons similarly circumstanced.

ARDEE.
March 12, 1877.

Mr. John F. EKINS.

did not attend at the last four or five meetings of the Commissioners—I think five. He has been confined to his room for the last two months.

11. Was it owing to his illness that he did not attend the meetings?—It was owing to illness that he did not attend at the last two meetings. I do not know his reasons for not attending the previous ones.

12. I suppose they will proceed to fill up the vacancy caused by the resignation of Mr. Kelly?—They will do so this month, or the month following.

13. Have you got a copy of the last account audited by Mr. Collett, the auditor?—I have.

14. Will you let me see it?—Yes. (Hands in the account.)

15. This account is for the year ending the 30th April, 1876?—Yes.

16. Your financial year ends on the 30th April in each year?—Yes.

17. Do the Town Commissioners here possess any property?—Yes, they do.

Amos.
March 27, 1877.
Mr. John F.
Davis.

18. And they also levy a rate?—Yes.
19. Will you look to that abstract of accounts?—Yes.
20. With respect to the collection of the rates and the rents, there is £99 16s. 3d. brought forward under the head of arrears on the rates?—That is not mentioned in the abstract.
21. It is mentioned in the auditor's report?—Yes; but the abstract only gives the receipts and expenditures.
22. So I see; it does not give the arrears?—No.
23. At what time of the year is the rate struck?—In December each year.
24. Your last rate was struck in December, 1876?—Yes.
25. How much was that rate?—1s. in the pound.
26. What was the amount of the warrant?—£136 16s. 5d.
27. When was the warrant given for the collection?—In the month of February.
28. Can you tell me what is the amount of the rate outstanding on the former rate—the rate struck in December, 1875?—£12 8s. 0½d. is outstanding still of the rate struck in December, 1875.
29. Up to what time was that arrear outstanding on that rate?—Up to the present time.
30. Has any portion of that arrear been declared to be irrecoverable?—No, there has not.
31. I suppose, then, it is now in process of collection with the rate struck in December, 1876?—Yes.
32. I observe here that Mr. Cullis says that you are rather dilatory in the collection of the rates?—Yes; so he reported, but the collection is improving.
33. So I see. By whom are these rates collected?—By the collector appointed by the Commissioners.
34. Does he give security?—He does.
35. Have you got his bond?—Yes. (Collector's bond produced.)
36. In the name of the collector?—Patrick Moran.
37. Are his two sureties living?—They are.
38. What was the exact date of Mr. Moran's appointment?—The 4th January, 1877.
39. There had been a collector previously?—Yes.
40. And I understand from these reports that he became a defaulter?—
41. What was the amount of his deficiency?—That sum, £12 8s. 0½d. referred to as being uncalled.
42. Did he become a defaulter with some of the money of the Commissioners in his hands?—Yes.
43. How much?—That £12 8s. 0½d.
44. Did he receive that £12 8s. 0½d.?—He acknowledged that he had received some of it.
45. Did the Commissioners ascertain how much he was a defaulter for?—Yes; that £12 8s. 0½d.
46. Did the Commissioners have any money by him?—No; they bore his sureties.
47. Have they recovered any money from his sureties?—Not yet; but they will recover that £12 8s. 0½d.
48. Have they taken proceedings against the sureties?—The money will be paid.
49. Have they been called upon to pay it?—Yes.
50. Does that sum of £12 8s. 0½d. represent the entire amount of the collector's deficiencies?—Yes.
51. With respect to the rates?—Yes.
52. Had he any rents in his hands?—No.
53. Was it his duty to collect the rents as well as the rates?—It was.
54. When was it ascertained that he was a defaulter?—Before the new rate was struck.
55. That would be in December, 1876?—Yes.
56. Was he, notwithstanding his default, allowed to retain his poudage or salary? How was he paid?—By a poudage on his collection.
57. Of how much?—1s. in the pound.
58. Was he allowed to retain his poudage?—No; his poudage on the amounts he collected is still due to him. It will come to about £3. He was not paid the poudage on the amount of his collection.

59. Will you look to the abstract of accounts that was before the auditor—at the amount of collector's poudage £6 8s. 6d. Was that poudage for the year ending in April, 1876?—It was, it was poudage for that year, but he was paid it about the month of December.
60. Does the collector also receive the same?—Yes.
61. And had the rate collector who ceased to act in December, 1876, received any rents for which he did not account to the Commissioners?—No.
62. Who is your treasurer?—The Ulster Bank.
63. How often is the collector required to lodge in the bank?—He is required to lodge every fortnight; never to keep money in his hand longer than a fortnight.
64. Have you got the bank books there?—I have. (Books in the bank book.)
65. Up to the 16th March, there was a small balance of £16 1s.—Yes; it is written up to-day.
66. Was your present collector appointed in January?—Yes, but he had not received his warrant then.
67. Are these judgments appearing in the bank book of rates collected by the late collector?—Yes.
68. When did the present collector receive his warrant?—In the month of February, 1877.
69. How much is the balance against you?—£16 14s. 9d.
70. Do the answers sent by the Town Commissioners to the questions sent to them by the Local Government and Taxation of Towns Inquiry Commissioners represent accurately the state of affairs inquired about?—Yes.
71. Do the items on the receipt side of the abstract of accounts represent all the moneys that were received on behalf of the Town Commissioners for the period covered by that account?—They do.
72. Amongst the items on the expenditure side of the account, I see the sum of £3 paid to the caretaker of the shambles?—Yes; that was paid to a person for taking care of the shambles.
73. What are the shambles?—A place for the sale of meat.
74. Are they the property of the Town Commissioners?—Yes; they are the property of the Town Commissioners.
75. Do the Commissioners receive any rent for the shambles?—They do.
76. Where does it appear in the account?—It appears in this abstract under the head of rents.
77. What amount do they bring? Is it a fixed rent?—Part of it is a fixed rent; but the rest varies according to the number of stalls that are let.
78. Have you got anything in the way of a rental of it?—No; Mr. Cusker, the present solicitor, says he never got a rental from the previous solicitor.
79. Who was the previous solicitor?—Mr. Cantrell.
80. What is the average amount of the receipts from the shambles—how much in the year generally?—I may say from £7 to £8. It was £7 1s. for the last two years, and £8 the year before.
81. Do the Commissioners pay any rent for these shambles?—They do.
82. How much?—£9 4s. 7d.
83. To Sir Oriel Foster?—Yes.
84. In fact, they pay more for the shambles than they receive from it?—They do. They pay the rent to Colonel Sir Oriel Foster at present.
85. Do they pay it out of the rates?—They do.
86. Are you able to state how the Commissioners hold the shambles?—I am not; they seem to have held it for a very long time, and have been paying the rent for I do not know how many years.
87. Are there any other public markets in the town?—Yes, there is a market-house.
88. Does that market-house contain accommodation for the sale of meat?—The shambles are for the sale of meat.
89. Does the market-house contain accommodation

for persons selling corn, potatoes, turnips, and so on?—Yes.

90. Do the Commissioners derive any revenue from that market-house?—They let the weighing-machine and scales, for which they have got £10 for the last two years.

91. I suppose the people who bring in produce to be sold pay for having it weighed?—Yes.

92. And the Commissioners receive £10 a year from the person to whom they let the right to receive dues or fees?—Yes.

93. Do the people using the market-house pay any other charge?—Nothing, except for weighing and sometimes for storage.

94. Is it the right to receive what is paid for storage also let?—Yes.

95. Does that £10 a year represent the entire receipts of the Commissioners from the market-house?—Yes.

96. What is the name of the person to whom the letting is made?—William Wade.

97. Is he a Town Commissioner?—No; he is not.

98. Is it leased by deed?—No; it is just a contract from year to year.

99. Is it in writing?—It is.

100. Was it prepared under the advice of your solicitor?—No; it was not. It was simply a tender from Mr. Wade which was accepted by the Town Commissioners.

101. Do you happen to have it here?—Yes. (Reads contract).—

"William S. Wade's contract for the use of the market-house, weighing-machine, and scales for one year, from the 1st November, 1876, for the sum of £10 sterling, was accepted on the following conditions:—That he be accountable for any damage the premises may sustain while in his possession, &c."

102. Has Mr. Wade complied with the conditions of the letting?—I think he has.

103. Has there been any complaint of his non-compliance with the conditions?—I think there was, but there was no cause for complaint afterwards. I did not hear of a second complaint.

104. What was the nature of the complaint?—It was that his little daughter used to weigh the goods instead of himself; she used to be weighing when he was absent.

105. I see that one of the conditions is, that as much as possible and so far as practicable, Mr. Wade is to be present at the weighing?—Yes.

106. Were those the only complaints made?—Those were the only complaints so far as I am aware.

107. Are the £10 from Mr. Wade included in the item of £75 8s. 3d.?—Yes; they are under that head.

108. Are the rents from the shambles also included in it?—Yes.

109. Do the Commissioners pay any rent for the market-place?—They do.

110. How much?—£9 8s. 6d.

111. What is that £9 8s. 6d. for which they take credit for having paid?—It is one and a half year's rent for Erasmus Smith's school.

112. For what property do they pay that amount?—They do not pay it for any property; they pay it to the Governors of Erasmus Smith's school for purposes of education.

113. By what right is it paid to the Governors?—The old Corporation seem to have given them this grant, and the present Commissioners are bound to pay it for that reason.

114. By the old Corporation do you mean the Corporation previous to 1840?—Yes.

115. Have you got a copy of the last year's receipt from the Governors of Erasmus Smith's school?—I have. (Receipt produced.)

116. £26 9s. 1d. is charged for one and a half year's rent in the last account audited by Mr. Collett?—Yes.

117. A rentcharge of £18 9s. 3d. has been paid by the Commissioners for the year ending 1st November, 1876, and you produce the receipt for it?—Yes.

118. What is this quit-rent £1 8s. 11d. payable in

respect of?—Some property of the Commissioners. I am not exactly sure for what property. It is paid to Mr. Hamilton, the collector of quit-rents.

119. Up to what date is it paid? It was paid in October, 1876.

120. I perceive by the written answers which you sent to us in Dublin, that the Commissioners cause the streets of the town to be watered?—Yes.

121. There is an item here on the expenditure side of your account—interest charged by the treasurer £3 3s. 1d.—Yes; that is interest for an overdraft on the bank.

122. Was Mr. Collett's attention called to it?—Yes.

123. He does not seem to have taken any notice of it?—He did so the year previous; at all events, in future that charge will be done away with.

124. Will you just look to the expenditure side of your account. Were the rents and rates received by the Commissioners for the year ending 30th April, 1874, applied in the manner mentioned in that expenditure side of your account?—They were.

125. I want you to tell me something about this property of the Commissioners. The Commissioners are the owners or proprietors of some lands?—They are. They have them for a long time.

126. Where are they situated in the first place?—In the town—in and around the town.

127. Does the property consist of houses or lands?—They are all lands. I do not think there are any houses.

128. Have you got a rental of the property?—No; there is no rental.

129. Have you received the rents?—Yes; we receive them.

130. From whom do you receive them?—From Mr. William Buxton, Mr. R. J. Montgomery, Lord Carlisle, and Dr. Banks.

131. Does Dr. Banks reside here?—No; he lives in Dublin. The dispensary committee pay us 5s. a year.

132. Is there anyone else?—No; those are all.

133. How much does Mr. Buxton pay?—£24 5s. 1d.

134. And Mr. Montgomery?—£16 17s. 4d.

135. And Lord Carlisle?—£15 13s. 8d.

136. And Dr. Banks?—£3 13s. 1d.

137. Are these all the rents which the Town Commissioners receive except those from the shambles and the markets?—Yes.

138. The total amount of those are £51 12s. 3d.?—Yes.

139. Do you know how Mr. Buxton is liable to pay that rent to the Town Commissioners; how it has been paid by the Buxtons finally for a long time?—Yes; I do not know why or for what he pays it.

140. Are Mr. Montgomery and Lord Carlisle in the same circumstances?—Yes; they are.

141. Is it the case that the Town Commissioners are entitled to these rents only, and not to the lands out of which, or in respect of which they are paid? Have the lands, or any of them ever fallen out of lease?—I think they will never fall out of lease; they are leased for ever.

142. These are these rents all in the nature of head rents?—Yes.

143. Are the rents paid annually by those people?—They are.

144. Or half-yearly?—Some of them used to be collected yearly, and some of them half-yearly.

145. How much has been collected since this last account was passed?—I find that there are paid up to the 1st November last, with the exception of Dr. Banks's rent. There is also a half-year due by Mr. Montgomery.

146. How are the rents of the shambles paid?—They are paid yearly.

147. And is the rent of the market-house also paid yearly?—It is supposed to be paid half-yearly.

148. Is it paid half-yearly?—It is not.

149. How much of it is now due?—There is one year due up to the 1st November last.

ARABIC
March 12, 1877.
Mr. John F.
Harris.

Answers.
March 12, 1907.
Mr. John P.
Neville.

150. Why do not the Commissioners take steps to have it assessed to be paid?—The matter is now in the hands of the Town Commissioners' solicitor. The solicitor has communicated with the tenant, and he has replied, so that it is now between them alone. It is distinctly stated in the agreement that the rent is to be paid half-yearly.

151. I see here that the Commissioners pay salaries to two persons, yourself and the caretaker of the stables?—Yes, and there is another person paid for winding the clock.

152. Is that by way of salary?—Yes; it is paid from year to year.

153. It is £3 12s. a year?—Yes.

154. Are all the streets of the town under the care of the contractors of the Grand Jury?—They are.

155. Is any scavenging done by the Town Commissioners independently of that done by the Grand Jury?—None, except sweeping the footpaths.

156. Is that done by them?—Yes; by the Town Commissioners.

157. I see here from one of your answers to the queries sent to you that the Town Commissioners undertake the paving and watering of the street, and cleansing of the footpaths; do they in fact expend any money for these purposes?—They get a grant from the Grand Jury for that purpose this year. It won't go into the account, because they got it from the Grand Jury.

158. It should go into the account. What amount did they get from the Grand Jury?—I think it was £110, but I am not quite sure.

159. What was it given for?—For repairing the kerb stones, and gravelling the lanes.

160. What was the amount of the two levies of county cess for last year?—About 8d. in the pound for each levy.

161. What was the rate of the spring levy?—8d. in the pound.

162. What was it for the summer?—8d. in the pound, making 1d. and 5d. for the year.

163. What was the valuation of the property upon which that county cess was levied?—£4,704 15s.

164. How is that? The Town Commissioners in their answer to the question No. 8, sent by us, describe the valuation as being £3,642 5s., is not that correct?—No, the valuation of the lands is £3,642 5s., and of the houses £3,054 10s., making the total valuation of houses and lands £4,706 15s.

165. Do you assess a rate of 1s. on £2,064 10s., and of 3d. on £2,642 5s. the valuation of the land?—Yes.

166. Do those two valuations compensate all the property within the municipal limits?—I believe it does.

167. Is this town supplied with main sewers through the streets?—It is not; and main sewerage is greatly wanted.

168. Have the Grand Jury of Louth done anything in the way of providing main sewerage?—They have not, though they were applied to.

169. I perceive the Town Commissioners are not the urban sanitary authority here, the population of the town being under 6,000?—Yes.

170. Have the Poor Law Guardians as the rural sanitary authority been applied to, to do any work in the way of making main drainage in this town?—They have not.

171. Do the Town Commissioners provide any public water supply for the town?—Yes, there are seven public pumps.

172. Were they provided by the Town Commissioners?—Yes, but they are now in the hands of the Board of Guardians as the sanitary authority.

173. I see that in your answer to the queries sent you respecting the property of the Town Commissioners, you describe it as property consisting partly of lands which were held by a charter; now it appears from your reply to my questions to-day that the property consists of head rents, payable by persons who hold the property under leases for ever?—Yes.

174. Your description would have been more correct if you had said they were simply head rents, paid by those four or five people you have named?—Yes, it would.

Mr. Peter Hickey.

Mr. PETER HICKEY examined.

175. Mr. LAWLESS—Are you a Town Commissioner?—Yes.

176. You wish to make some statement, I believe?—Yes; I wish to make a few remarks with regard to the sanitary state of the town. The drainage is very defective; in fact, I may say there is no main drainage. The town pays upwards of £300 a year in county cess, and a few years ago—four or five I should say—we got plans and specifications for improving the drainage drawn up by Mr. Neville, the county surveyor, and made an application at the presentment sessions.

177. How much does the town contribute to the county according to your calculation?—Upwards of £200 to the county cess. The application, as I said, was made at the presentment sessions, but it was rejected by the associated co-owners. The matter remains in that condition up to the present time.

178. How long ago is it since that application was made?—About four or five years ago.

179. Has anything been done since?—Nothing has been done since.

180. Is it your opinion that an improved system of drainage for the town is much wanted?—It is very much wanted. The fact is the back premises in the town cannot now be drained at all. The streets of the town look in very fair condition, but at the back there is no drainage at all, and so it is impossible to keep it drained. The overflow from the yards pours out into the streets, the yards being higher than the streets.

181. That, of course, is injurious to the public health?—It must be so, decidedly. The nuisance arising from the yards in the summer time is really frightful, and all because of the want of one good main drain. It would be easy enough to drain the town by carrying the sewage down to either side of the town—either to the north or south.

182. When you got the plan and specification made

by Mr. Neville, the county surveyor for the county, was it his opinion that the town could be easily drained?—I think it was.

183. Did Mr. Neville give you an estimate of the probable expense of the plan of drainage?—I do not think he did.

184. Have any of the Town Commissioners ever made an estimate of the probable expense?—I do not think they ever did. What was wanted at the presentment sessions was an instalment of the probable expense at the first sessions, and something more afterwards. I think an application was sent in for £1,000.

185. That was the sum you applied for?—Yes.

186. Was it your opinion that the proposed drainage would cost more than that amount?—It was Mr. Neville's opinion that it would cost a good deal more. The Commissioners subscribed and paid him the cost of the plan and specification out of their own pockets.

187. Do the Board of Guardians do anything in the way of sanitary work in the town—anything whatever? Have they appointed no sanitary officer for acting in the town?—I believe they have; but it is the general opinion that everything connected with the sanitary arrangements in the town would be better under the control of the Town Commissioners than any Board of Guardians.

188. Have the sanitary officers ever taken any steps to cause to be removed any nuisance existing in the town from want of drainage? You spoke just now of the overflow from the back premises in the town going into the streets; that, of course, is a nuisance?—It is.

189. Has the sanitary officer appointed by the Board of Guardians served notices on the people requiring the abatement of that nuisance?—No, except in one case, that of the water coming from the sloping of the malt.

190. Is that the only instance?—That is the only one.

191. Does it ever happen that the people have collections of fifth toe near their doors?—The officer appointed by the Town Commissioners used to compel them to take it away.

192. What officers are there?—There is none since the Board of Guardians became the sanitary authority; there was formerly an officer called the inspector of nuisances, who was appointed by the Commissioners.

193. There is no such officer now?—No.

194. What I want to know is, do the officers appointed by the Board of Guardians in the discharge of their duty require people to remove any nuisance that may happen to exist in the town?—In some cases persons were brought before the magistrate and fined for having nuisances.

MR. WILLIAM GURRELL CONTINUED.

ANDER:
March 12, 1871.
Mr. Peter
Hickey.

195. Mr. LAWLESS.—You also wish to give evidence with respect to the sanitary condition of some portion of the town of Andes?—I wish to draw your attention to the state of College-lane; there is a nuisance there, and a very great want of drainage.

196. Is there no drainage there?—There is not; and there are never any repairs done there; the place is in a fearful condition.

197. Do you live in College-lane?—I do.

198. Do you experience any inconvenience from the state of things which you describe as existing?—I do; I cannot bring a car or cart of any sort into the lane.

199. Why?—Because of the want of repairs, it is completely broken up, and it has never been repaired.

200. Do you mean to say that the contractor for the Grand Jury never does anything to that place?—I do, indeed; he never does anything there.

201. I also understand you to say that it is in a very bad state for want of drainage?—Yes; there is a large accumulation of nuisances out in the very centre of the street, so that it is absolutely impossible to pass through it. The condition of the place at the present moment is quite sufficient to create a plague. As I said, it would be impossible for you to walk up and down the lane.

202. Do you think there is any other lane in the town in so bad a condition as this one?—I think not. I applied to the Commissioners with reference to this matter.

203. What answer did you get to your application from the Town Commissioners?—I got no answer at all.

204. How did you apply to the Commissioners? Was it by a message, or in writing?—It was by letter. I wrote three different times to them on the subject, but I got no answer.

205. When did you last apply?—I wrote to the Board of Guardians about two months ago, I think.

206. And you got no answer from the Board of Guardians to your communication?—I got no answer.

207. What did you write to them?—I wrote about the unsanitary state of College-lane.

208. As being in the state you have described here to-day?—Yes; I described the fearful state of it in my letter.

209. You say you wrote to the Board of Guardians. Did you write to the Board as a body, or to one of its officers?—To the Board as a body.

210. Town Clerk.—I got a notice from the Board of Guardians directing the Town Commissioners to sweep that lane, as it was their duty to do so.

Witness.—I also wrote to the Local Government Board on this subject, and got a reply to my communication.

211. Mr. LAWLESS (to Witness).—Have you got that reply of the Local Government Board?—No, I have not.

212. You wrote to Mr. Banks, the secretary, I suppose?—Yes.

195. So that the officers of the Board of Guardians really do something, but it is your opinion that this sanitary work would be better done under the care of the Town Commissioners?—Decidedly.

196. Does sickness prevail much in the town?—No, not much.

197. Perhaps you may be able to tell me if there are any fires held in the town of Andes?—Yes; there are thirteen fires in the year.

198. Are they held in the streets of the town?—No, in the fair-ground.

199. Is the fair-ground situated outside the town?—Yes; just immediately outside; at the north end of the town.

Mr. William
Gurrell.

213. What was the nature of your complaint?—I complained of the condition of College-lane, and that no steps were taken to improve it. The inhabitants of the place signed a memorial to the Local Government Board.

214. What answer to your complaint did you get from the Local Government Board?—They informed me that they had sent a copy of my complaint to the Poor Law Guardians.

215. That was the only answer you got from the Local Government Board?—That was all.

216. Have you had any communication from the Poor Law Guardians on the subject since then?—No, none.

217. Do you know whether or not the Poor Law Guardians have taken any steps in consequence of that communication from the Local Government Board?—No, I cannot say that they have.

218. Mr. LAWLESS (to the Town Clerk).—Did you, as town clerk, receive any communication from the Poor Law Guardians with regard to College-lane?—I got a notice from them on Saturday last.

219. On Saturday last, the 10th March?—Yes. (Hands in notice received from the Board of Guardians.)

220. Mr. LAWLESS reads communication from the Board of Guardians, dated the 9th March, 1871:—

"To Mr. Elton, Town Clerk.

"SIR,—I am directed by the Board of Guardians of the above union to inform you, by the intervention of the Commissioners, that a communication has been received, signed by Mr. William Gurrell and other inhabitants of the town of Andes, complaining of the sanitary condition of a portion of the town, and to call the Guardians' particular attention to the enclosed copy of a resolution passed by the Board of Guardians at their meeting on the 5th instant; and the resolution of the Board of Guardians referred to is that communication is as follows:—'The Board of Guardians wish to call the attention of the Town Commissioners of Andes to the filthy state of the streets, and particularly to College-lane, and to request that they may have them swept three times weekly.'

"By order of the Board,

"NICHOLAS CARPENTER."

221. Have the Town Commissioners done anything, or ordered anything to be done, in consequence of this communication from the Board of Guardians?—No, they have not had time yet.

222. Do they intend to do anything in consequence of it?—They will have a meeting on the first Thursday of the next month, and I think they will get it swept.

223. Mr. LAWLESS (to Witness).—Would sweeping this place three times a week do satisfactorily what you want?—No, it would not; the place wants to be repaired generally; it has never been repaired—not this last twenty-five years.

224. Would sweeping it three times a week bring it into a proper sanitary condition?—Yes, it would bring one portion of it into proper sanitary condition, but the place wants to be well gravelled.

Answer
March 15, 1877.
James
Mr. Peter
Murphy.

Mr. PETER MURPHY examined.

230. Mr. LAWLESS.—Are you one of the Town Commissioners?—Yes; and I am the manager of the Hibernian Bank here. There is a lane close to the bank called Lamb's-lane. I have often had occasion to pass through it in the summer, and I have always been struck with the very filthy state in which I saw it. During very hot weather in summer, I have seen stagnant cesspools just before the doors of the houses in that lane, I suppose not more than six or seven yards from the doors. The cesspools were stagnant, for I have noticed that the water was quite green-coloured.

231. What sort of houses are they in that lane?—They are wretched cabins. I think they are not provided with sews of any kind, and on the opposite side is a ditch, which I have seen filled up with dirty mud—a kind of greenish-looking mud; there is no vent for it, and it cannot flow away.

232. Do you know College-lane?—Yes; I just wish to supplement what Mr. Gurrell said with regard to the condition of that place. I remember that on one occasion I wished to make a short cut and attempted to pass through College-lane, but I could not manage it and had to go back the way I came.

Mr. Patrick
Magee.

Mr. PATRICK MAGEE examined.

233. Mr. LAWLESS.—Are you a ratepayer or a Town Commissioner?—I am a ratepayer; I think that what has been said might be applied to every lane in the town, and I think the state of things at present existing, in a sanitary point of view, cannot be remedied without a system of main sewerage. I wish to call your attention to the low overcrowded lodging-houses in the town.

234. Are there such lodging-houses here?—There are many of them to my own knowledge, and there

233. Do you mean that you could not pass through it on account of its filth?—Yes; in fact, I say so that it is a common privy—a regular nuisance. That was the only time I ever attempted to go through it. When the wind is blowing from the east, I get the full benefit of the smell from College-lane at the bank, and I can assure you, that on most occasions I dare not attempt to go into the yard at the rear of the bank for that reason. There is another matter in which I wish to refer. There is a small yard which adjoins the bank premises, and in it there are sometimes five or six pigs kept.

234. Is it near the house or houses to which the yard you refer to belongs?—There is a row of six houses just outside the yard at the rear of the bank, and in the yard of the first house of the row, which is a small yard (and the one I refer to), a lot of pigs are always kept. The place is kept in a very filthy state, and I should like it is the duty of the sanitary officer of the Board of Guardians to look after it. I think that while, as at present, the houses are built without proper ventilation, the town can never be kept as it ought. It is utterly impossible that it could be.

Mr. James
Cryan.

Mr. JAMES CRYAN examined.

235. Mr. LAWLESS.—What are you?—I am the sub-sanitary officer of the Board of Guardians, under the Public Health (Ireland) Act.

236. Do they pay you any salary?—Yes.

237. How much?—£10 a year.

238. Do you do anything for it?—I go round the town and inspect different places; since I became sub-sanitary officer of the union, I have made reports every week.

239. Do you make reports to the sanitary officer?—Yes.

240. Who is the sanitary officer?—Dr. Moore, the dispensary doctor.

241. How often do you go about the town to inspect its sanitary condition?—I go round twice every week, and I attend the meeting of the Board of Guardians every Tuesday.

242. Did you ever report the condition of College-lane?—Yes. I served a fourteen days' notice on the Town Commissioners, and there was no attention paid to it.

243. You did report the condition of College-lane?—Yes; I did.

244. When did you do so?—In the month of October last.

245. You got some directions I presume from the Board of Guardians?—I got an order from the Guardians to serve a fourteen days' notice on the Town Commissioners to clean out College-lane, and to see after the condition of the lanes of the town generally. There is nothing in that way done by the Town Commissioners.

246. Do you know anything about the state of the poorer class of houses in the town?—Yes.

appears to be no person to take any notice of the fact.

237. Are the lodging-houses here registered?—They do not appear to be registered.

238. Do you say that no one looks after them?—No one, so far as I am aware.

239. I suppose if any one has been appointed to look after them, the town clerk can tell us of it.

Town Clerk.—No one has been appointed for that purpose.

239. You say it is the duty of the Town Commissioner to clean the lanes?—Yes; according to Mr. Collins's report the Commissioners are bound to clean them.

240. Are the people occupying the poorer class of houses in the town in the habit of keeping cattle or pigs in their houses?—Some of them do, because they have no back doors to their dwellings.

241. Do you report such cases to Dr. Moore?—Yes; and I have sometimes brought the people before the bench, and the magistrates have fined them for keeping animals in their houses. This place called College-lane is in a most filthy state.

242. Do you think it is as bad as Mr. Gurrell described it?—It is worse; no human being could walk in it.

Town Clerk.—The Commissioners were served with a notice in November last, and they paid 10s. or 12s. at the time to get the nuisance complained of abated. (Hands in notice.) Before I paid the money for doing it, I got a certificate from the sub-sanitary officer saying that the nuisance was stated.

243. Mr. LAWLESS.—I'll just read this notice. (Reads).—

"County of Louth. To John Ellis, Town Clerk to the Town Commissioners of Ardee, and to the sewer and cleanser, as the case may be. The Guardians of Ardee Union acting as the rural sanitary authority, having ascertained that a nuisance exists in or upon a house or premises at the borough of Ardee—that is to say, along the lanes and the water tables in the town, and along the channels of the town, to have them swept, so as to remove the nuisance complained of by Mr. Moore, as so to be as a nuisance injurious to health; now take notice that you are hereby required to remove or abate the same, and for that purpose to do all such work as may be necessary within fourteen days, otherwise proceedings will be taken against you by the sanitary authority without further notice."

14. *Witness*, under the provisions of the 23 and 28 Vic, chap. 95, and the 32 and 35 Vic, chap. 35, and the several Acts incorporated therein, for the detection and removal of such nuisances, and to enforce the provisions of the said Acts against you, and for the recovery of penalties thereby imposed in the event of your refusing or neglecting to comply with the terms of this notice.

- Dated this 7th day of November, 1875.

* Sigs. ed.

JAMES CARLTON.

* Executive Sanitary Officer."

That notice was, I believe, served upon the Commissioners through their clerk, and I understand that he had to pay a sum of money for carrying out the work

referred to in that notice. I also find this certificate, dated the 25th November:—

"I hereby certify that the nuisance complained of by the Board of Guardians, and which was complained of by Dr. Moore, is abated now, until they complain again about it."

* Signed,

JAMES CARLTON.

* Sub-Sanitary Officer."

Does not College-lane continue in the same filthy state still?—Yes.

257. And while the Board of Guardians and the Town Commissioners are discussing who is responsible for it, the poor people living in this place are half poisoned?—Yes.

Mr. THOMAS DOLAN examined.

Mr. Thomas Dolan.

258. Mr. LAWLESS.—Are you a Town Commissioner?—Yes. I merely wish to say that I agree with what was said by Mr. Hickey and Mr. Mackay, with regard to the sanitary state of the town. I wish also to say that pigs are kept in some houses in this town, in which there are back-doors.

259. Mr. CARLTON.—You have a tenant yourself who does it.

Witness.—Yes, but you never served a notice on her. She has back premises attached to the house, and she will not keep the pig outside the dwelling-house.

260. Mr. LAWLESS (to *Witness*).—You have a tenant who keeps a pig in her house, and the sub-sanitary officer is aware of it?—Yes.

261. Yet he never served any notice to remove the pig?—I never heard of any notice having been served. I do not know how the condition of College-lane could be improved; there are a great many houses in the lane that have no back-doors. I may possibly say, as a Town Commissioner, that we were not careful about the sweeping, because we thought it was the duty of the Guardians to do it. In fact, I think that Carigan did get it done.

Mr. CARLTON.—Yes; but the auditor would not allow the charge for doing it, and the Guardians had to pay the cost themselves.

262. Mr. LAWLESS (to *Witness*).—Do you think that the sanitary duties are properly discharged by the Board of Guardians?—No, I think not. The

Guardians are all country people, and feel no interest in the welfare of the town. They do not see the back-lanes at all. When they do come into the town, they merely drive up the principal streets; they cannot feel the same interest in the matter that we would. In one case the water was running out from the houses into the road. A person interested asked us to do the work that was necessary to set matters right. We referred him to the Guardians, and the Guardians referred him back to us, and so the matter was in dispute. That was the case of the malthouse. The Guardians eventually said that they would do it; and the proprietor of the malthouse paid one-half of the expense, and the Guardians paid the other half. Improved drainage would be the only remedy for the state of things at present existing in the town, and it is a matter of very great importance that it should be done.

263. Have the Commissioners consulted their solicitor about this question of responsibility between them and the Board of Guardians?—I believe a note.

264. Would it not be a very desirable thing that you should know what your duties are?—Yes; of course we could not attempt the main drainage scheme, that is beyond our power, but I believe the Guardians have a vote for that purpose.

Mr. Peter Hickey was examined, and said he desired to add his testimony to that of the other witnesses with reference to the filthy state of College-lane, and of the town of Ardee generally.

KELLS.—MARCH 16, 1877.

(Before Mr. CORRIE, Chairman.)

Mr. JOHN NEARNS examined.

KELLS.

March 16, 1877.

Mr. John Nearns.

1. You are, I believe, the town clerk?—I am.
2. When were you appointed?—About a year and a half ago—on the 6th of September, 1875.
3. Was that immediately after the late clerk had been suspended?—Just at that time.
4. How long was the late clerk in office?—I think about four years.
5. Were you not clerk before the last clerk had been appointed?—Yes.
6. I understand the last clerk left owing a great deal of money?—Yes; money that he did not account for.
7. What was the name of the late clerk?—Bernard Comiskey.
8. Did the auditor at the last audit certify that there was then a sum of £198 18s. 5d. in Bernard Comiskey's hands?—Yes.
9. That was on one account, and was not there £21 3s. 6d. on another, making £199 1s. 6d.?—Yes.
10. Has any of that money been paid since?—No, it is still outstanding.
11. Had the late town clerk any sureties?—He had not.
12. Do you mean to say that the man who collected your rates had no sureties?—He had no sureties.
13. Did he give a bond?—No, there was no bond.
14. Do you give a bond?—I do.
15. In how much?—£300 is all the Commissioners asked.
16. But the late clerk gave no bond?—The late clerk gave no bond, and was never asked to do so until the

Commissioners believed there was a deficiency, and then he tried to get sureties, but failed. No portion of the £199 has been paid since.

17. Is there any hope of getting this money from his friends in the town?—No hope at all.

18. Is he still in the town?—He is still in the town.

19. Are there no assets?—No assets. The amount was cancelled by the Commissioners at the last meeting as a bad debt.

20. The auditor has power to make a certificate that so much was found due by him, and to take steps for the recovery of the amount. I want to know did the auditor do that?—He made a certificate that the amount was due, and left it to the Commissioners to take proceedings for its recovery, or cancel the debt.

21. Then no proceedings were taken?—No.

22. And at the last meeting was it cancelled as a bad debt?—Yes.

23. Have you any resolution on your books to that effect?—We have. Here it is—

"Resolved by Samuel M. Kells, seconded by James Brady, and passed, that the debentures of our late clerk, Bernard Comiskey, amounting to £199 1s. 6d., be now cancelled."

24. What is the date of that resolution?—The 5th of March, 1877.

25. That was passed about a week ago then?—Yes, about that.

26. Was it when the auditor was last here that he left it to the Commissioners to take either of the two courses you have mentioned?—In November, I think

KELLA.
March 22, 1877.
—
Mr. John
Norton.

27. The Commissioners have been a long time in deciding, then, what to do. I see there was a list of other land debts on the same day moved to be cancelled. What were those?—Debts that could not be recovered.

28. What were they?—Rents of herbage lands under crops—potatoes and grazing.

29. Were they old arrears?—Yes, old arrears.

30. They are not very large in amount, I see.—£17 11s. 6d. altogether. Mary Irwin's is the largest amount in the list—£4 10s. Is that an old debt?—It is an old debt, three years going on for grazing.

31. What is the state of your rental now? Have you now wiped off, either by collecting or by cancelling them, all the old arrears?—Yes; either by collecting or cancelling them.

32. Have you got the rental here to show the state of it?—Yes. (Produced.) That would be the rent this year, £1,187 15s. 1d.

33. What I want to see is what is the amount which the land brings in—what was the amount last collected, and what is the amount still outstanding?—I did not make the accounts up yet to the present date.

34. I have got from you already a list of holdings that constitute a small portion of the Commissioners' property?—Yes; from small farms.

35. What is the acreage of your leased property? Is it 312 Irish acres?—Yes; that is over 500 statute acres.

36. Of that I understand from this return in your statement that only four small holdings are let on lease?—Yes; that is all, and one or two of those are not on lease; they are tenements from year to year.

37. There are eight acres to Lord Headfort at £10 on a lease for seventy-five years?—Yes.

38. Can you tell the date of that lease?—I think it is about 1855.

39. Griffiths' Valuation of that is ten guineas?—Yes, that is correct.

40. Then there are 8s. 3s. 50s. Irish plantation measure let to Cornelius Gavin at £17 7s. a year, on a lease of thirty-one years?—Yes.

41. When was this land let to him on lease?—In the year 1865.

42. I see that is let a little below Griffiths' Valuation, which is £18 a year. I want to know the circumstances under which it was let to him?—Before it was let under lease he had it for nothing as payment of his salary as "herd" or caretaker of the land.

43. Do you mean that instead of paying him a salary he got this land from the Commissioners gratis?—He did.

44. Were you town clerk at that time?—No; I was not.

45. You only know this from what you heard then?—Only from what I heard. But I know it is a fact, though, that he held it in lieu of a salary.

46. Then in 1865 you say Cornelius Gavin got a lease for thirty-one years at a rent of £17 7s.?—Yes.

47. Were any tenders invited for that land when it was let to him on lease?—No; for it was in his own possession.

48. Do you know whether there was any public notice given that he was to be accepted as tenant?—I don't know.

49. There appear to be the only two leases?—The only two.

50. Are they the only two leases outstanding at all?—The only two outstanding at all.

51. Does not Mary McConn hold 5s. 1s. 3s. at a rent of 25 s. 3d.?—Yes.

52. What tenure does she hold by? Is it as a yearly tenant?—I think it is as a yearly tenant; there is no lease anyway.

53. Was it by a resolution of the Commissioners that that land was granted to her?—I could not tell.

54. Or whether there was any competition?—I could not tell.

55. Is it the fact that she is the mother-in-law of Cornelius Gavin the herd?—Yes, she is.

56. Do they live together?—No.

57. Does he occupy the land or does she?—Cornelius Gavin does occupy the land.

58. Has he any beneficial interest in it?—I don't know.

59. When you say that he occupies the land do you mean that he farms it for her, or is it surrounded by her to him?—I think he manages it for her.

60. Where do the crops go to?—I could not tell.

61. Were those five acres and a quarter ever valued according to Griffiths' Valuation at £4 10s.?—Yes; that is the valuation.

62. And she pays 16s. more. I suppose, like other places in Ireland, Griffiths' Valuation is below the letting value here?—It is below the letting value.

63. I mean if this land had been put up to public competition, leave you any doubt that more than £5 16s. 3d. could be got for it, or probably nearly double that rent?—I believe it could. It is good land now, but it was not before.

64. What kind of land was it in 1865, when it was let to her?—I believe not nearly so good as it is now.

65. The Commissioners' land produces between £3 and £4 an acre on an average. I believe?—Yes, from £3 6s. 10d. an acre.

66. And is the average of the rental for the whole of these "Commons of Lord" about £1,300 a year, or nearly £4 an Irish acre?—Yes.

67. And here are five acres at 25 s. 3d. a year. That does not look quite right, you know. Is her land better or worse land than Lord Headfort's?—I think it is worse. Here is a wet land, and Lord Headfort's is a dry kind of land. It was given to him for a plantation, and he was to give the Commissioners a field in another part of the town as well.

68. Lord Headfort pays £3 an acre for that, which is below the average, but it is nearly double what she pays. Here is Jane Crosskey too, who holds 2s. 1s. 30s. Does she pay £3 a year for that?—Yes.

69. Is hers a yearly tenancy?—It is.

70. When was that land let to her?—I don't know. It is a very old letting, made a long time ago. Her husband was one of the old freemen.

71. And is she the widow of that old freeman?—Yes.

72. Had he the land at a nominal rent before?—Yes.

73. And after the Town Commissioners were appointed did they put a rent of £5 per year on it?—Yes.

74. And then was his widow allowed to hold on at that rent by the Commissioners when they came into existence?—Yes, that is it.

75. Does she now pay £2 an acre?—Yes.

76. It appears to be let under value, though much higher than that held by the land's mother-in-law, and that only accounts for not quite twenty-five acres out of the 312. Are there any other yearly tenants besides these?—That is all we have. After Lord Headfort had his plantation down the Commissioners were going to take the ground from him because he refused to give them the field in the vicinity of the town for a hay yard and dung yard, and a resolution was passed to that effect.

77. I thought you said Lord Headfort had a lease. Is there no lease in existence or counterpart of the lease to Lord Headfort?—I am told there is not.

78. Are not you, as town clerk, the person who would have the custody of it if there was one?—Well, I made every inquiry as to the eight acres, and I am told there is no lease for it.

79. Have you got a counterpart of the lease to the herd or caretaker?—I have.

80. Who is your law agent?—Mr. Lynch, a solicitor living in the town.

81. Did you ever ask him if there was any lease to Lord Headfort?—I never asked him.

82. I want to ascertain, as a matter of fact, whether there is a lease to Lord Headfort of this land, and if there is, whether there is any lease from him to you grazing this hay and dung yard to you or other lands?—We have a lease grazing the Maudlin-street Gardens.

53. Were these Mandlin-street Gardens, of which you have a lease from Lord Headfort, granted to the Commissioners as part of the consideration for a lease of the eight acres to him?—Yes.

54. What is the term of the lease to the Commissioners for these Mandlin-street Gardens?—I think the lease is for ninety-nine years.

55. What rent do you pay to Lord Headfort for them?—£5 15s. a year.

56. What is the average of the Gardens?—I believe it is not more than half an acre.

57. Is it garden ground in the town?—It is garden ground. The gas company have made of it.

58. Is part of it let by the Commissioners to the gas company?—Yes.

59. At what rent?—£4 a year.

60. What do they do with the remainder of it?—The remainder of it is in three gardens, and one of these is given free to the Commissioners' steward. The other two are rented—one pays 8s. 6d. and the other 11s. a year, making 19s. 6d. for the two.

61. Then in point of fact you do not get so much rent for the whole as you pay?—All we get is £4 15s.

62. And don't you pay £5 15s. to Lord Headfort for the ground?—Yes, that is it.

63. You say the gas company hold half the land at £4 a year?—Yes.

64. How was the rent to them fixed?—It was fixed by lease.

65. Is it let on lease to them?—It is.

66. What is the term of the lease?—I don't know whether it is for seventy or ninety years.

67. Was it part of the understanding with the Marquess of Headfort that the gas company should get this ground?—It was; and if it was not set to the company he would charge double the rent for it.

68. Have you a dung-yard now from him besides?—Yes.

69. Does he give that accommodation free?—No; he charges for that.

70. Does it form part of the Mandlin-street plot?—I believe he gave the dung-yard and the Mandlin-street plot as a sweep like for the holding in Lloyds.

71. Is the £5 15s. paid for the dung-yard and the Mandlin-street plot alone, or for the Mandlin-street plot only?—What rent do you pay altogether?—£7 15s. every half year.

72. That is £15 10s. a year. Of that sum do you pay £5 15s. for the Mandlin-street plot, and £9 15s. for the dung-yard?—We pay about £5 for the Mandlin-street plot.

73. Have you not told me already you pay £5 15s.?—Well, £5 15s., and the remainder for the dung-yard.

74. What is the extent of the dung-yard?—1s. 3s. 15s. It is outside the town.

75. Do you pay Lord Headfort within £5 10s. of what you receive from him?—We do.

76. And for the eight acres he has from you do you get only about two acres from him?—Yes; last year the dung-yard was set for £30.

77. By whom was it set for £30?—The Commissioners authorised their solicitor to set it for them.

78. Did you not get that ground to deposit the dung in?—Yes; but there was a portion of it not required for that.

79. Did the Commissioners then set that portion at £30 a year?—Yes. Before Mr. Conner had it the Commissioners used to keep it in their own possession, and set it as after-grass. Farrell Tully, I think, was the last who had the after-grass, and I think that it was £3 he paid for it. He was a Commissioner, and it did not go to competition.

80. Do you say Farrell Tully was a Commissioner, and that the other Commissioners let the after-grass to him?—They did.

81. At £3?—Well, I am not sure about that; but I think it was £3.

82. How long ago is that?—I think it is about five years ago.

113. Have any of the Commissioners derived a personal profit out of the dung-yard, or the portion not used as a dung-yard, except in that instance?—Except in that instance, I am not aware.

114. How many years did Farrell Tully get it?—I think four or five years.

115. At that rate?—At that rate.

116. And what can you get for it now?—It is let now for £30 a year—such portion of it as is available for cropping.

117. Is it all pasture, or is it partly tillage?—They take mowing off it in summer time, and in the winter they put cows to graze on it.

118. It is all pasture, then?—It is.

119. Is the after-grass worth about half the annual value?—Oh, no. There is but an acre and a half in it. What he got for his use, according to what Mr. Freeman says, was worth £4 10s.

120. How any Commissioner had that piece of ground since, or derived any personal benefit from it?—No.

121. About how long is it since that arrangement ceased?—Three or four, or perhaps five years since. For the last three years it is let by competition.

122. And for last year you got £30?—We did.

123. How much did you get for the two preceding years?—Something about the same.

124. Is the rest of the Mandlin-street plot, of which half is held by the gas company, let according to arrangement made with Lord Headfort?—Yes.

125. The price was not, of course, part of the agreement, but is £4 a year a fair rent to pay for that land?—Witness.—For the gasworks?

126. Yes. Do you believe that that is as much as could be got for it from any other parties?—I believe £4 a fair rent. If the ground the gas company occupy was offered to public competition it might bring more money, but then the benefit the gas company is to the town has to be taken into consideration. The Commissioners consider that a fair arrangement.

127. You say the remaining half only brings in 19s. 6d. a year?—Yes; but there is one part with a cottage let to the steward in lieu of a salary.

128. What are the stewards' duties?—To superintend the workmen.

129. Is he what is generally called the town surveyor?—No; I am the town surveyor.

130. What is he, then?—In the capacity of steward he superintends the workmen.

131. What workmen?—The Commissioners'—the street scavengers and men working on the land from time to time. For a few days past we have had no scavengers in the town. They are all out on the land clearing away the stones.

132. Has this steward £30 a year, paid weekly 15s. a week?—Yes.

133. Was it part of the agreement when he was engaged that he was to get a cottage and garden rent free?—Yes.

134. Can you find any minute to that effect on your books?—Yes, there is a minute to that effect.

135. When did the present steward come into office?—I think about four years ago he came in.

136. Is it the case that in 1872 this cottage and garden were let to Frank Smith, the steward, at a penny a week, and possession then given to him, but that he never paid that 1s. 4d. a year?—He has never paid it.

137. How long had Frank Smith been appointed steward at that time, and was it part of the original agreement, or was it a bonus given afterwards, that he was to get the cottage and garden?—He was not long steward when he made the proposal for the cottage and garden.

138. Was he steward in 1873?—He was steward at that time.

139. He appears, from this minute book, to have first got the cottage and then to have received 2s. 6d. a week additional a few months afterwards?—Yes.

140. In July, 1871, Frank Smith seems to have been employed at a salary of 10s. a week to look after

RECEIVED
March 15, 1877.
Mr. John
Norris.

Kenny.
 Nov. 14, 1877.
 Mr. John
 Smith.

minions in the town and to superintend the men working, and in January, 1872, he was granted this cottage and garden in pursuance of a resolution of the previous board day at a penny a week. Then in June, 1872, six months afterwards, his salary was increased 2s. 6d. a week, and it has been increased another half even since, and he has 13s. a week now. It is quite clear that the letting of the land and cottage to him is not part of the original agreement?—I don't know what the house and garden he has would let for now, but I think it would bring more than he pays.

141. Would the cottage where he lives let for £7 a year?—I think it would, but I always thought it was in consideration of his being steward he got it.

142. But at all events the cottage and garden he has would readily let at £7 a year?—I think it would.

143. How much do the other two gardens produce?—19s. 6d. between them.

144. If they were put to public competition what would they bring, do you think?—I believe they would bring more.

145. Could you say how much more?—I could not say.

146. Are they worth from £1 to 30s. each if they were put to public competition?—I think they would bring that.

147. Are the people who hold them connected with the Commissioners?—They are. Two of these who are holding them are Commissioners.

148. And do they hold them at a rent of something like 10s. a year each?—Yes; one at 8s. and the other at 11s. There is another small portion there used as a shed—you could merely put a jaunting car into it.

149. Can you find any resolution on your books letting these gardens to the Commissioners?—There is a resolution letting them.

150. There were five gardens when the resolution was passed. How is it there are only three now? That was before it was let to the gas company, I suppose. Does Landy hold one now?—He does not.

151. Who holds Landy's garden now?—Mr. Tully holds it.

152. He is a Commissioner?—He is.

153. Does O'Neill hold one now?—No; he is dead.

154. Is not No. 1 garden held by Tully?—Yes.

155. At what rent?—8s. a year.

156. That is the same man, I suppose, who had the other two?—Yes.

157. Is not Garden No. 2, which was held by O'Neill, who was a Commissioner, now held by Maguire? Were each of these persons Commissioners, and were they to pay originally 12s. a year each for them?—Yes.

158. What does Tully pay for Landy's garden?—8s. 5d.

159. And what does Maguire pay?—11s.

160. And both these gardens are worth from £1 to 30s. if put up to competition?—Mr. Freeman says they are, and I believe myself they are worth more than they are set for.

161. I want to know what has become of the garden Maguire had?—Another man named Maguire—his brother—has it now.

162. Then has he two gardens?—No; the first Maguire died, and the second man took up his garden.

163. Yes, but you say he got O'Neill's garden too. Do you know how many gardens there are?—Three.

164. Is not one held by Tully and another by Maguire?—Yes.

165. Are both of these gentlemen Commissioners?—Yes.

166. And is the other held by the widow of the late steward?—Yes.

167. For which no rent is received?—No rent.

168. Is there any other ground available for letting out where these gardens are—not the place called Mandlin-street?—No, there is not.

169. Is there no cottage or garden besides what you have mentioned?—There is a little cottage besides in the possession of Mr. William Glover.

170. Does he occupy the cottage?—No, he does not. It is not a cottage; it is only a ear-house.

171. Does that stand in Mandlin-street?—Yes.

172. And is it let to a man in the town?—Yes.

173. Does he pay any rent for it?—He does not.

174. Is there any resolution on the books to let him have that place rent free?—I examined the books, and could find no entry at all.

175. Did you bring it under the notice of the Commissioners that he is in occupation of that place without paying any rent for it?—No; he is a townsman, living in the town.

176. But why has he got it?—I believe the Commissioners gave it to him.

177. Yes, but for what consideration? It is not their own property, and they cannot give away that which belongs to the inhabitants of the town. What is that ear-house worth?—It is not worth much. He first built it himself when he got leave from the Commissioners.

178. Did he get leave then to build it?—He did; and he covered it with felt.

179. How much land does it stand on?—About a perch.

180. What was it before—was it waste or garden ground?—I think it was waste before.

181. Now we will pass from these gardens. The great bulk of your land is about 287 acres, besides the small portion we have heard of at such great length already. I want to know now how that is dealt with?—The Commissioners set a portion for meadow land this year, and a portion for grazing, and the remainder for tillage.

182. How much of the land is in tillage?—There are 117 acres in tillage.

183. That would leave about 170 in pasture?—Well, then we have a good deal of it under meadow land. There are about sixty-five and a half acres under meadow land and the remainder under grazing.

184. That would be something over 109 acres in grazing?—Yes.

185. Am I to understand that that is let by auction every year?—It is. The meadow land is let by auction, and on the grazing land the cattle are taken in by the Commissioners and their herd.

186. They are let in lay?—Yes; the grass lands.

187. And I suppose the people pay so much a head for the cattle?—Yes.

188. Do the Commissioners advertise the terms on which cattle will be taken in?—No; but they advertise that they have land to let for grazing, and the people will come there the day when they take in the cattle, and the Commissioners will come and meet them and fix the price at which they will take the cattle in.

189. Is that thoroughly understood by everyone, and is it done openly so that there can be no favour to the master and everyone can get cattle in on equal terms?—Well, no, for at one time the Commissioners had cattle on them, but everyone pays the same rate.

190. Is the notice advertised in the newspapers?—No; only by hand-bills through the town.

191. Do you believe you get the best value at the rate per head you take these cattle into lay, comparing yours with the neighbouring lands let in lay?—I think it is a very fair price for the cows and cattle they take in to graze. For instance, they put on £3 10s. per half year.

192. Do you think you get a fair price per head for all classes of cattle?—I do.

193. Are you clear that everybody pays at the same rate?—It greatly depends on the cattle put on the ground.

194. Of course there is a difference according to the age of the beast, but what I mean is, you do not charge one man a higher rate for a cow or other description of cattle, than you do another?—No.

195. Whether a Commissioner or not?—No.

196. Have the Commissioners themselves many grazing cattle on these lands?—Last year they had not many.

197. How many of the Commissioners had cattle on the land last year?—Well, I don't know of any—yes, there were two Commissioners last year.

198. Refer to the grazing land you have there and tell me the names of those who had cattle there?—Dr. Cahill had four head; Mr. Ffolliott, four head; John Torney, two calves; Robert Lean, two calves; John Hove, five cattle; and Joseph Lacey, Andrew Doyle—he was lately elected—and Gavin had cattle there. Gavin had a cow in it.

199. Then there are seven Commissioners and the head who had cattle there?—They had.

200. Do you think it is a fair price that is charged?—I do. I think it's a fair price.

201. That is the way then you let these 100 acres of grazing land, by handbills, at so much per head for cattle, like any other ordinary ley? And you also about sixty-five and a half acres of meadow land?—Yes.

202. How is that let?—By the auctioneer.

203. Do you sell the crop standing?—We sell the crop standing on the land.

204. And do you then let the aftergrass afterwards?—Sometimes the aftergrass is set afterwards.

205. And sometimes the whole of it is not?—Sometimes the Commissioners keep the aftergrass for the grazing cattle, because the grass on the pasture-land gets bad coming on the harvest.

206. Is the meadow grass let standing to the highest bidder?—It is.

207. Is there any reserve price put on it?—No; there is not. It is given to the highest bidder.

208. Do you know whether the Commissioners ever get it themselves?—Sometimes they do get it themselves— seldom indeed.

209. Is it always let to the highest bidder?—It is.

210. But the aftergrass is not let with it?—No; it is not.

211. Is it only the first crop that is let?—That is all.

212. And the aftergrass you say is sometimes kept by the Commissioners to set out the meadow land?—Yes, it is. Sometimes the aftergrass is sown by the Commissioners to give to the cattle they take in for grazing.

213. And sometimes it is let?—And sometimes it's let.

214. Whenever it is let, is it let to the highest bidder by auction?—It is; the same as the meadowing part.

215. Do the whole of the stock put on the land have the benefit of this aftergrass, or is it only the Commissioners' cattle have that?—The whole of the stock.

216. Are you quite sure about that?—I am quite sure about that.

217. Was all the aftergrass reserved last year for cattle?—It was.

218. For the cattle let on ley?—Yes.

219. What would it produce if let separate as aftergrass?—About £70 a year. If sold, it would bring £60 or £70.

220. Would it bring an average of £1 an acre?—It would, or more, I think.

221. Well, it is quite clear there are two gentlemen among the Commissioners, Dr. Cahill and Mr. Ffolliott, who have a good many head of cattle there, and who must benefit by this aftergrass. How are the remaining 117½ acres of land let?—That is let by a minute of the Commissioners at one of their meetings. They pass a resolution, entered on the book, at an ordinary monthly meeting, saying we will let this land for two years at £3 or £6 an acre.

222. For two years?—Yes; it is always let for two years.

223. Is that let by auction, or by fixed price?—By fixed price, not by auction.

224. Who fixes the price?—The Commissioners themselves at a meeting.

225. Do any of the Commissioners hold any of the 117½ acres?—Sometimes they get lots in it for accommodation—not many of them though.

226. How many of the Commissioners hold any of these 117½ acres now?—I think there is only one.

227. Who is that?—Mr. Ffolliott.

228. How many acres does he hold?—Only three rods.

229. How do the Commissioners arrive at the price for which they let, or is it let at different prices?—It is sometimes at £3, or £4, or £6, according to the quality of the land.

230. How is it arranged from year to year?—When it is let this year say, at £6, the next year it might be let for £4.

231. How is that?—Because it gets less in value.

232. Is there any stipulation for a rotation of crops?—There is.

233. Then it is let at a different rate, according to the crop coming off it?—It is.

234. And it is, you say, the Commissioners themselves who value the land?—The Commissioners themselves.

235. Is it by a committee, or the whole body?—The whole body.

236. Do they never call in the assistance of a land valuer?—Well, they do. They ask their caretaker and superintendent.

237. But does not the caretaker seem to be a man who gets a good deal out of them himself?—No, he does not.

238. Does he not get eight and a half acres, and another person, his mother-in-law, five and a half acres?—I have known the Commissioners to ask the caretaker what would be best to do with a field, and what price it would be reasonable to charge for it.

239. Until the recent Board was elected, had the Commissioners more of these lands in their own hands than they have now?—Mr. Rogers, one of our oldest commissioners, says about the same.

240. But you being the town clerk ought to know?—Well, some time ago more of them would have lots than they have now.

241. Was that when you were town clerk before?—Yes; when I was town clerk before.

242. Do you believe that the arable land is not at the least value?—Yes; I believe that.

243. Who collects the rents?—I collect the rents of the land let by the Commissioners, and the auctioneer collects all he sells himself.

244. What does he sell?—He sells the meadow land.

245. Do you collect the rents of the 117½ acres of arable land?—Yes, I do.

246. And you collect the grazing rents?—I do.

247. Do you receive the rent then for about 239 acres?—I do, about that.

248. And does the auctioneer receive the rents for the sixty-five and a half acres of meadow land?—Yes.

249. Who receives the rent of the twenty-five acres let on lease?—I do.

250. Do you receive the rent of the gardens and the ground set to the gas company?—I do.

251. So that you, in fact, receive all the rents, except the sixty-five and a half acres of meadow land?—I do.

252. Are the gardens all let now?—They are. There is nothing due for them now.

253. You showed me a resolution by which some arrears were struck off, when the Commissioners forgave the late clerk £14 11s 11d. Was any of that for the gardens?—No; none was for the gardens.

254. What were the arrears for? Was it for the meadow land?—No; not for the meadow land; for corn, grazing, and some for potatoes.

255. Did any of the Commissioners owe anything?—No, not one.

256. How came you to let the corn and potato land or grazing land to persons who did not pay the rent for it for the previous year?—That was done for about three years before it was paid for. She was a poor woman, and that was the cause why she was not ultimately able to pay.

Kenna
March 14, 1871.
Mr. John
Muir.

REARD.
March 16, 1877.
Mr. John
Barry.

257. Are not these lands let for a year or at most for two?—They are, for two years.

258. And if a person did not pay at the end of these two years would it not be reasonable to suppose you should not let to him or her again until the back rent was paid?—The Commissioners have adopted a new rule now.

259. In consequence of these parties having been allowed to get into arrears, did the Commissioners pass a resolution that no one should take off a crop until they had first paid the rent for it?—They did.

260. Was that resolution passed?—I think about two years ago.

261. Were all these old debts that were wiped off antecedent to that resolution?—They were.

262. Since that have you had any loss?—We have not.

263. You say all the rent is received by you except the meadow land?—Yes.

264. At the last letting of the arable land did you ascertain what your rental for the year would be?—It will be about £1,157. That is for this year, but it won't end till May.

265. Do you let them from May to May?—From May till November. The people pay the rents coming on the harvest, in August, and so on.

266. Do they pay half yearly?—Yes, or when they are going to take away the crops.

267. You state in the returns which you furnished me with, that your rental is about £1,200 a year?—Yes. Taking three, &c., it is £1,157 for this year.

268. You meant then, I suppose, "income" not "rental." Was the rental for the past year more or less than it will be this year?—I think it was something more.

269. Your rental for the present year, which will end in May, will amount to £1,157?—Yes.

270. Was not the rental brought into account at the late audit £1,595 12s. 6d.?—Yes, it was.

271. How do you account for the difference between them? You see that was nearly £50 more than this year?—Some years the rental is higher by £50 or perhaps £100 than other years, according as the Commissioners set the land. The meadow land this year was set cheap, and last year it was high. This year the crop was bad.

272. Was the land set for £50 less this year?—It was. We had a bad letting.

273. Is the auctioneer the same person as the herd?—No, he is a different man.

274. Does the herd touch any of the money?—No; he is only herd and caretaker of the land.

275. When you say "herd" do you mean that he is the man who looks over the stock and crops?—Yes, he does.

276. Does he look after the Commissioners' stock when their cattle are on the land?—He does—he looks after all the stock. The Commissioners are bound to provide a man to mind the stock put on their land.

277. Who is the auctioneer?—His name is McEneaney.

278. How is he paid?—By fees, by the purchases.

279. Does he receive the rents of that land?—He does.

280. Does he give any security—any bond?—I think he gave a bond to the Commissioners.

281. Did he give a bond for £400?—Yes.

282. What is the amount he receives?—He only gets it from the meadow land. This year I think it was £200. Last year it was a good deal more.

283. Is the bond about equal in amount to what he receives?—Yes.

284. Are there two sureties to his bond?—Only one, I think.

285. Is his bond in the hands of the treasurer?—Yes.

286. Is yours in the hands of the solicitor?—Yes.

287. Do the parties pay the auctioneer in advance for the meadow land, or do they wait until they get the crops off?—After they get the crops. The rule is, there is a day fixed on which the mowing is to be out and an-

other on which it is to be taken away, and then it is taken away and the auctioneer is supposed to be paid.

288. Is it between the cutting and the harvesting?—Exactly; and the removal of the crop must take place on a given day.

289. Would £400 be about the average sum that you get annually from the mowing?—It would.

290. What other income have you beside?—We have a dog tax, and fines and penalties.

291. Was the dog tax last year £9 6s. 4d.?—That is about the amount every year.

292. It was, I see, 29 11s. 8d. for the year before?—Yes, that is about the amount.

293. The fines for drunkenness last year amounted to £41 16s. 3d., the year before to £28 12s. 6d., and this year they appear to be only £27 12s. 9d. How is it you have a smaller income from that source this year?—Yes, that was only up to the time we sent it that return.

294. Do you know how it is they were so high last year?—Well, the court was only lately got up, and the first year they only made about £28, and then the next year they were £41 odd.

295. Will you get as much as £41 from them before the close of this year?—I think we will get more.

296. Were these fines received by you?—Some of them were, and some by the former clerk.

297. Were any fines received by the former clerk since he ceased to act?—No.

298. Is the dog tax paid to the treasurer or to you?—To the treasurer from Dublin.

299. And these fines are paid to you?—They are paid to me.

300. Have you ever levied a rate here?—No; I am not aware.

301. Has a rate been ever levied since you were first town clerk?—No.

302. Does your income then arise entirely from your rents, the dog tax, and the fines and penalties?—Yes.

303. Is not your principal item of expenditure on salaries?—Yes.

304. I see that amounts to a very large sum annually. Last year there was £233 11s. 8d. charged for salaries?—Yes; but there were salaries that were allowed to go in error that were charged.

305. Is your salary as town clerk £53 a year?—Yes.

306. What is the town surveyor's?—£20.

307. What is the nature of his office—what are his duties?—He surveys the land yearly. I am the town surveyor.

308. What else are your duties as town surveyor?—There is a good deal of work to be done on the land in surveying the lots and dividing them out.

309. Is that all the time the lands are let?—Yes.

310. Have you anything to do, as town surveyor, in overlooking the street scavengers?—No; but we have to superintend all buildings and walls, and when they are falling to see that the parties repair them.

311. Then your duties are not confined to the land?—No.

312. Have you nothing to do with the men employed in the streets?—No; I have only to measure the paving, and sometimes to bring parties to law when their walls are found to be in a state dangerous to the public and they don't repair them.

313. Did the late town clerk hold the same two offices?—No; he was only the town clerk.

314. Were you the town surveyor then?—I was.

315. Did the Commissioners then ask you to go back to your old office as clerk when the former town clerk was dismissed?—They did.

316. And to keep on the other office as well?—Yes.

317. The person you call a steward here, does he do what is generally done by the town surveyor elsewhere—overlook the street sweepers?—He does.

318. Do the Commissioners keep the cleaning of the streets in their own hands?—We do.

319. Do the Grand Jury repair the roads?—They do.

320. Who keep the channels clean and repair the pavements?—We do all that.

321. Does not the Grand Jury contractor then undertake any of the cleansing?—He does not; he only repairs. But the road contractors when they are going to put stones on the road scrape the streets.

322. How many men are employed to sweep the pavements and channels and keep the back lanes and alleys clean?—About six we have employed, but they are not confined to this employment always, sometimes they go out on the land to make up the fences.

323. Have the Commissioners six men constantly employed?—They have.

324. What wages do they give them?—9s. a week.

325. You say that the Grand Jury keep the streets in repair and scrape them, and that you have six men to look after the cleansing of the streets and back lanes, although you have no sanitary work to do?—But these men have a great deal of work to do on the road facing. They are laying down twenty-five acres this year for meadow land, and all the stones have to be picked off the land, and the corporate men are employed filling these stones into carts and taking them away.

326. Are there six men thus employed besides the caretaker of the land?—There are.

327. And you have a steward and an overseer of the Commissioners' lands, and a head and cowherd. That is nine men you have employed to look after the land and streets besides what you do yourself. Now, I find that Frank Smith has £39 a year and a house and garden, which is as good as another £10; and an overseer of the corporate land gets 10s. a week. What is his duty?—He inspects the land to see whether there are trespassers there or not.

328. I want to know could not one man do all this work, for you seem to have at least three head men on the land?—No.

329. Do you not pay Frank Smith more wages now than when he had the sanitary work to do?—His work was increased greatly.

330. You seem to have an enormous staff to do very little work. £135 a year and a house and garden rent free among three men for overlooking six or seven others is a large sum to pay, and you have now nothing to do with the sanitary work?—No; we have not now.

331. Mr. Freeman, &c.—Half the men are doing nothing. I saw seven of them myself around a cart in the street one day filling it.

332. CHAIRMAN (to witnesses).—Who does the lighting of the town?—The gas company light it by contract.

333. At how much per lamp?—It is not altogether that way. We pay the gas company 7s. 6d. per 1,000 cubic feet of gas.

334. Who checks the consumption?—I check the consumption.

335. That work even does not fall on Frank Smith?—It does not.

336. Are you not also clerk to the gas company?—I am.

337. Are the police barracks and town hall lighted by the Commissioners?—They are.

338. What does the expense of lighting come to each year?—Last year it was £89 17s. 1d., and the same the year before.

339. Does that include the lighting of the police barracks?—The bill is always furnished to the Commissioners.

340. How many lamps have you for that amount?—Fifty-five lamps.

341. Then you get your gas for about £2 per lamp?—It does not come to so much as that. We supply new lamps often and lamp posts.

342. Who lights the lamps?—The gas company, but the man who does that work is the Commissioners' servant as well as the gas company's servant.

343. Do you pay him something else besides the 7s. 6d. per 1,000 cubic feet of gas?—We pay the company for lighting.

344. How much do you pay them?—10s. a week.

345. For how many weeks are the lamps lighted in the year?—They commence to light them in September and continue on until April.

346. That would be about six months. For how many hours are they lit each night during those six months?—From halfpast four o'clock in the winter evenings till eleven at night; and sometimes they are only lighted twenty-one nights in the month.

347. On moonlight nights you do not light at all?—No, we don't light on moonlight nights at all—only on dark nights.

348. Who regulates the lighting of these lamps?—I do.

349. Is it left entirely to your discretion whether to light or not?—It is.

350. Does anybody check the meter except you?—No one except myself.

351. And you are clerk to the gas company as well as the Commissioners?—Yes.

352. How often is the meter checked?—Sometimes we check them every six weeks in the winter time, and the accounts are made up every three months.

353. And rendered every three months to the Commissioners?—No, yearly they are paid, and then we don't get the account until they are prepared to pay it.

354. £207 I make the yearly salaries come to?—Yes.

355. Is there clothing besides for the steward and workmen?—Yes.

356. What clothing are they provided with?—It was the usage to give clothing to the steward and workmen also.

357. What do you give Frank Smith?—he gets a good deal, we have seen already?—A suit of clothes the same as the other workmen.

358. What do they cost?—About £3 each.

359. Was the sum of £41 10s. 6½d. given last year for clothing?—Yes.

360. Is that an annual average about?—No; up to this time it was only every seven years they got them.

361. And do the Commissioners intend not to give any in future?—They don't intend to give any in future. Mr. Collet thought it was not a proper way to pay workmen.

362. I see 30s. down up to Christmas this year?—That was for a tailor's bill left unpaid before.

363. Then this charge of £41 for clothing, we may assume, won't occur again?—It will not.

364. You state, in your return, that last year you paid £180 2s. 4½d. for cleansing, and £193 7s. 4½d. for labour; ought not that cleansing to come under the head of labour by these men?—No; as I remarked before, the men often work out on the corporate land, and there are others then employed.

365. How are you supplied with water here? I have got from your return that it is entirely by pumps?—Yes, entirely by pumps.

366. Is there an ample supply of water for the inhabitants?—There is a good supply—a very good supply.

367. Is the water good?—It is very good water.

368. Has it ever been analysed?—It has not.

369. Have you been a resident in Kells for some time?—Yes.

370. Beyond the time you have been town clerk?—Yes.

371. Have any complaints been made to your knowledge during that time, either as to the quantity or quality of the water?—Some time ago there were great complaints as to the quantity of water. Sometimes in summer they have not a sufficient quantity.

372. Do you mean the water supply runs short?—Yes, it dries up.

373. Have the Board of Guardians, as the rural sanitary authority, interfered to prevent any deficiency for the future, or in regard to the sanitary arrangements of the town at all?—They have not until very lately.

374. Not, I suppose, until after Mr. Collet spoke about it?—That was about the time they interfered.

Kells.
March 24, 1877.
M. John
Norda.

KELLS
March 16, 1877.
—
Mr John
Savill.

373. Do they take any active steps now? Have they a nuisance inspector and a sanitary officer who examines the cottages, and the state of the drains, and the pumps in the town?—They have such an officer, and I have heard of him examining the houses and presenting people, but I never heard of him examining the pumps.

376. Are these pumps open to every body to go and take what water they like from them, or have you any means of checking the quantity taken?—No.

377. Can any person take what they like?—Any person can take what they like.

378. Is the sewerage of the town in a satisfactory state?—It is.

379. Are there sewers in all the principal streets?—There are with two exceptions.

380. Were these sewers made by the Commissioners?—They were.

381. Are there two streets in the town in which there is no main sewer?—There is some part of the town there is no main sewer in, but I do not know the name of the particular street. I think it is Rectory-street.

382. Are there many houses in that street?—There are a great many houses in it.

383. And how do the people get rid of the sewage?—They are in a very bad state.

384. Are there any cess-pools there?—There are in rear of the houses, and sometimes opposite the doors.

385. Do you know whether the sanitary officer of the Board of Guardians has visited that street?—I could not tell.

386. With the exception of that street is the town well sewered?—Well, there is a portion of the town that is not well sewered. They call it the Fair Green. A lot of poor people live there. I think they are badly off for the want of sewerage, but it would be hard to construct sewers there, as the Fair Green is built on a rock.

387. In the streets in which there are main sewers, are there connecting drains from most of the houses to them?—There are.

388. In what state are the culverts kept here in the back lanes? Are they kept in a tolerable condition?—The Commissioners' men go round to clean the lanes, but the culverts are kept very badly.

389. Do the Commissioners allow the accumulation of manure outside the doors?—The Commissioners' men often clean away the manure twice a week.

390. What do they do with the manure taken away? I see nothing in the accounts relating to a sale of it?—Any manure they get in the streets the Commissioners' men remove to the dungyard.

391. What is done with it then—is it sold?—It is not sold. The Commissioners, when they have a heap of manure, remove it to the borough farm and manure it.

392. I should have thought the people who took the land would manure it?—There is top-dressing, you know.

393. Do I understand that all the manure collected by the street sweepers, and carted to this dungyard, instead of being sold, is used by the Commissioners in top-dressing this land?—That is so for the last five years at least.

394. Is it five years since they sold the manure?—I think it is, if not more.

395. The next item I come to in your return is £4 1s. 4d. for paving. That was done by your own men, I suppose?—Mostly all by our own men. There was a permanent paviser, and when any work was required to be done he was sent for. That was old Maguire.

396. Was this £4 1s. 4d. for labour in paving or for stones?—It was for doing the work.

397. Do not your own men do it?—They do.

398. And are they not charged for in the labour account?—No; for any day they would be working at paving I put down the cost that day to paving and not to labour.

399. How much of that £180 2s. 4d. charged for cleansing was for labour?—It was all for cleansing.

400. All for labour?—It was, and brooms.

401. How could it be necessary to expend £873 10s. on the labour of six men in cleansing?—Well, those men are often employed on the borough lands to make ear-wags, which is heavy work, and fencing, which is heavy work too.

402. How often are they employed on the borough lands?—Well, not very often.

403. What is the charge of £81 10s. rent &c.—That was the rent of the dungyard, the field, and the town-hall.

404. What do you pay for the town-hall?—£28 a year.

405. Does Lord Headfort get that?—No, not Lord Headfort, but a person in the town.

406. The rent of the dungyard is £9 15s.; the garden, £3 15s.; and the town-hall, £38. That is £53.

407. How do you get at the other £281?—I think the town-hall was in a ruin.

408. Your poor-rate, county-rate, tithe-rent, and income-tax, amount to £38 10s. 6½d., of which £23 11s. 1½d. was county-rate. Is that about the average annual payment for county-rate?—It is about the average payment each year.

409. And for that you get your roads kept?—Yes.

410. There is a charge of £24 11s. 9d. for hay-wood and oats?—Yes.

411. Were these oats for the Commissioners' horses or for sowing the land?—We did sow some last May.

412. Do you keep any arable land in your own hands?—About an acre and a half fell into the hands of the Commissioners, and they put some oats on it.

413. Do I understand you that the remainder of the £54 was all given for grass-seed to improve the pastures?—Yes.

414. "Printing and stationery," I see, come to "£12 6s. 11½d.," and election expenses, £13 11s. 10d. Are these the average annual payments?—Yes.

415. "Coal for the town-hall, £23 0s. 7½d." Does it cost that every year?—I think that covers the expenses for three years.

416. "£27 11s. 6d., auditor's fees." Was that for more than one year?—One year.

417. "£20 1s. 6d. law costs," and £81 12s. 7½d. for "miscellaneous expenses." That is a large sum. What did they consist of?—There was a good deal of fencing done, and part of that went on the borough land. An epidemic broke out among the cattle at one time, and it cost a good deal for enclosing them.

418. Were vouchers for all that produced to Mr. Collet?—Yes.

419. And was he satisfied?—Yes.

420. Here comes a curious item—"repayment of loan on promissory note, £100." Are the Commissioners still a good deal in debt to their bankers?—Well, they are not.

421. What was that promissory note for?—It was payment of money that was borrowed for the land.

422. Are you in debt at present to the bank?—We are.

423. Was this note to the bank?—It was.

424. How many other notes are outstanding?—At present we are in debt about £700.

425. At the time you paid off the £400 to your bankers what did you owe them?—We did not owe for anything at that time.

426. Well, you owed that £400 at all events. Do you mean to say that after payment of that you were clear of debt at the bank?—No, we were not clear.

427. Well, what did you owe them then?—There was a bill going on for a standing debt of £1,000.

428. Had you other bills then outstanding to the amount of £1,000?—Yes.

429. The next item in your return is for "discount of promissory notes and interest on overdrafts, £38 15s. 3d."—Yes.

429. When this £400 was paid to the bank, was there £1,000 still due to them?—Yes.

430. On notes of hand given by the Commissioners?—Yes.

431. And £38 15s. 3d. you had to pay for interest on that?—Yes.

432. The next item is "promissory note not met, charged to the Commissioners." To what amount was that note?—That was a note given by a man three years ago for meadow land for £6 1s. and the Commissioners discounted it at the bank, and it was not paid, and the Commissioners had to pay it.

433. "Disallowed by the auditor, £33 14s. 4d." What was that?—For pump. It was disallowed by the auditor on the ground that it ought to be paid by the sanitary authority.

434. Has that surcharge been paid?—The Local Government Board won't enforce it.

435. Are they going to remit it?—They see.

436. Had you a letter from the Local Government Board to that effect?—We had. (Letter handed in.)

437. At the time this account was closed, had you an uncollected rent of £67 16s. 10½d., which was supposed to be recoverable?—That is so.

438. And was £74 14s. 5d. wiped off as irrecoverable?—Yes.

439. And then I see £22 1s. 8d., "deduction allowed for sick cattle." What is the meaning of that?—People had cattle on the land, and they died, and they were not charged for them.

440. Was that amount refunded to them?—It was.

441. Then there is £128 18s. 5d. due by the late clerk and collector since wiped off as a bad debt?—Yes.

442. Are not these accounts made up to the 31st of May last?—They are.

443. Since then, have there been the proceeds of another grass crop and of a crop of aftergrass and a half year's tillage rent received?—Yes, it has been received.

MR. MICHAEL FREEMAN EXAMINED.

449. How long have you been a Commissioner?—Four years.

450. Four years consecutively?—Yes.

451. Had you been a Commissioner before?—No.

452. When you became a Commissioner were the Commissioners in debt?—They were.

453. How much did they owe them?—A good deal more than they owe now. I do not know the exact sum.

454. However you found they were in debt to the bank?—They were.

455. Was there a system then going on of giving promissory notes and renewing them?—There was.

456. Can you give me an idea of the amount of their debts at that time?—Not exactly. The way the accounts were kept at the time, it was quite impossible to know how much the Commissioners owed.

457. That is what the auditor says. Was the late clerk clear then?—He was. When we expected to be out of debt, some other new bills we never heard of before popped in.

458. Were the bills never paid when due?—Never; and there was no check, the accounts were kept in such a confused manner.

459. Have you any finance committee?—Yes, there is such a thing now.

460. But there was not then?—No.

461. How long has your finance committee been in existence?—I think about four years.

462. Are you a member of it?—I am.

463. For the last three or four years have the accounts been more booked into than they were previously?—Oh, yes, much more so; particularly since Mr. Mullen became a Commissioner. He has caused a great deal of reformation in the business.

464. You say you do not know exactly what was due the bank, when you became a Commissioner?—No, I do not.

465. Do you know how many notes were outstanding?—I think it was about £1,500. It is quite impossible to know. Cheques would be issued and the

466. What have you received on account of the rents since that last audit? Are these the actual receipts which you return in this other account, or what it is supposed will be received?—It's the amount receivable.

467. Did you get in all the arrears, £47 14s. 10½d.?—Yes; but £14 was cancelled.

468. Have you got all except that £14?—There are some small amounts that we did not get yet, but we expect to recover them.

469. When you paid off that £400, did you take up a fresh note to do that?—No.

470. Then it was a loan *à la* payment?—It was.

471. And you reduced the debt by that amount?—We did.

472. Has any other payment been made to the bank except that one?—Yes; last year the current account was reduced from £1,090 to £700.

473. Do you know what promissory notes are outstanding now?—There is only one for the £1,300 that was borrowed to pay this balance, and we have the remainder in our hands to pay the current expenditure. Mr. Cullist looked into our affairs and allowed us to do that.

474. What was the number of the Commissioners when you first came under the Towns Improvement Act?—Fifteen commissioners.

475. When did you come under the Towns Improvement Act?—In 1874.

476. Directly the Act was passed?—Yes.

477. And previously you were under the 9th of George IV.?—I think it was.

478. What is the area under the government of the Town Commissioners? What is the extent of the town?—I don't know the extent of the town.

479. Or the acreage?—I don't know that.

480. What's the population?—It is over 3,125.

ELLIS
March 16, 1891.
Mr. John
Smith.

Mr. Michael
Freeman.

people would keep them until they found some money in the bank, and then they went in and got it, some cheques were filled up and signed three months before there was any money to meet them at all.

479. What was the system adopted—when you wanted money in the bank, did your treasurer come to you and ask you to give a promissory note?—It was not that. The bank paid only when they had Commissioners' money, but they did not allow an overdraft. One sum of £100 was running on for twenty years or more.

480. Have any fresh promissory notes been given since you were a Commissioner?—Yes, from time to time; but that is done away with now entirely, and there is only one promissory note out. There is a strict order given that no new promissory note is to be given, and all debts are to be paid by the 1st of May, and all moneys received by that time, so that we will owe no money by that time except what we owe the bank.

481. Were there, in fact, a great many outstanding debts besides these promissory notes not collected till lately?—Until lately. The system now adopted is very good, and I think the accounts will be generally satisfactory in future.

482. It has been very bad, no doubt?—Very bad; the most confused thing I ever saw.

483. In 1875 you paid £400 to the bank. Was that the first time you ever paid anything off?—I really am not aware of what payments were made to the bank.

484. Do you think the Commissioners got the best price they could per head for the cattle on lay?—I do not.

485. Do you think they are influenced, to some extent, by some of their body having cattle on the land?—I am sure they are.

486. And has this an influence in inducing them to reserve the after-grass of the meadow land for their cattle instead of letting it?—Yes.

NAAS

March 18, 1877.

Mr. George
Malton

484. How long have you been a Commissioner?—About sixteen months.

485. Have you been looking them up pretty sharply since then?—Yes; I seldom miss a meeting at all events.

486. Are you on the finance committee?—I am.

487. And you are anxious to see a different system established as well as Mr. Freeman?—We are, and I hope we will live to see it. On the occasion that Mr. Collet objected to ever drafting, we asked him to allow us to draw a bill, so that we could wipe out all the debts due by the Commissioners to the bank and otherwise, and close our account on the 3rd May next; and that as the Commissioners owed so much, to give us an opportunity year by year of cutting down that debt until we came out clear. That was the reason we had for asking leave to do that; and Mr. Collet and the Local Government Board, after some persuasion, let us do it.

488. Did you get the consent of the Local Government Board?—We did.

489. To contract a new loan of £1,200, in order to clear off all your debts?—Yes; because if we did not

Mr. GEORGE MULLER examined.

get leave to do that we could not carry on the work at all. These debts were contracted by men who are dead in their graves now, and we are trying to clear them off.

490. You hope now that things will go on straight?—Yes; I am quite satisfied they will.

491. Upon what terms did you get this £1,200 from the bank?—At four per cent.

492. Did they advance it at four per cent?—Yes; and I think we will want more.

493. But surely you might reduce your expenses on the land very considerably. You have too many head men. Do you not think you might do away with one at least of these men, if not with two?—Well, we might.

494. If you reduce your expenses, and make more of your land, will you want more?—We will reduce the expenses if we can go on. There is not a shilling going out or coming in now but is closely looked after. We have a finance meeting every Friday night.

495. I will ask the town clerk to give me a copy of that correspondence with the Local Government Board and the auditor respecting the loan?—It shall be supplied to you.

NAAS.—MARCH 19, 1877.

(Before Mr. CORBETT.)

Mr. WILLIAM SAMUEL GRAY examined.

NAAS.

March 19, 1877.

Mr. William
Samuel Gray.

1. You are town clerk of Naas?—Yes.

2. How long have you been town clerk?—Since 1861—sixteen years.

3. Naas is under the Towns Improvement Act?—It is.

4. What is the date the Towns Improvement Act was adopted?—Immediately after the passing of the Act in 1854.

5. Was not Naas an old corporation previous to the Act of 1840?—It was.

6. After the passing of the Act of 1840 did they adopt the Act of George IV. 1.—No.

7. Were there any commissioners appointed under the Act of 1840?—I could not say. I did not belong to this town myself at that time.

8. At the time of the passing of the Act of 1840, I understand from the report of the Municipal Commissioners in 1853, there was the remainder of a much larger property vested in the Corporation of that day?—So I understand, but I do not know myself.

9. What is the population of Naas?—The population, according to the last census, was a little over 3,600.

10. 3,600, I see?—Yes.

11. Is it an increasing population?—Yes; owing to the military being quartered here. We have a Brigade Depot here now, and that causes an increase.

12. What is the area that is governed by the Town Commissioners?—One mile and a half from the town-hall or old post-office.

13. In each direction?—Yes; a radius of one mile and a half from the old post-office.

14. Do you know what is the acreage included within the municipal boundary?—No; but I could tell by the valuation books.

15. Have the Commissioners any income from real property at the present moment—any rent derived from it?—Do you mean from the markets?

16. No; any estate or landed property?—They have not.

17. Have the Commissioners a fair-green and town-hall?—Yes; but we pay rent for that.

18. How are they held?—We hold one fair-green from Government at the nominal rent of 1s. a year. We are only yearly tenants. It was a moiety belonging to Government; and we have a sheep fair-green that we pay £18 a year for, and we have it sub-let, and receive tolls from it.

19. Who do you hold that from?—From Miss Donohoe.

20. Have you any lease of that?—We have a lease which, I think, is for thirty-one years, or three lives. We pay £18 a year for it, and receive £6 for letting and the tolls derived from the fair besides.

21. Do you let the grass for £6?—We let the field—two acres—from year to year to a tenant named Horan for £6, and he gives it up to us for the fair.

22. How many fairs are held in the year?—There are thirteen fairs in the year, but it is mainly a fair every other month.

23. Do you make any money on the ground that you hold at the nominal rent of 1s. a year?—We charge no tolls there; it is an open fair.

24. Do you sub-let that?—No, it is an inlet from the road.

25. Is not the sheep fair let for grazing at £11 a year, or stated in the return made to me?—It was formerly let at £6, and now at £11.

26. And what do the tolls bring in from the sheep fairs and cattle fairs?—The last audit it was £28 14s. 10d.

27. And this year £35 7s. 0½d.?—That is last year.

28. Would between £25 and £30 be a fair average?—I don't think we ever went up to £30.

29. £28 then?—Yes.

30. Is that from the sheep fair?—Yes.

31. Besides that do you receive a considerable amount of tolls and dues in the market?—We do.

32. Have you covered markets here?—We have sheds. The markets are attached to the town-hall—the market-yard.

33. And have you regular market tolls?—We charge no such according to the quantity weighed.

34. Are the markets under an old patent?—No, they were established by the Commissioners themselves about twenty years ago.

35. Established, you mean, under the Towns Improvement Act?—Yes.

36. And have you a table of tolls?—We have a scale of tolls.

37. What do the markets produce annually?—The potato market last year produced £18 6s. 9½d., and the year before £25; the butter market £15 15s. 0½d. last year, and £13 7s. 3d. the year before; the cattle £42 15s. 0½d. last year, and £43 3s. 6d. the year before.

NAME.
March 13, 1877.
Mr. WILLIAM
Samuel Gray.

38. Altogether they produced £75 0s. 10½d. last year, and £82 2s. the year before. Would that be a fair average?—It would be from £75 to £80 a year.

39. Do you make a rate here every year?—Not every year. The last rate we struck was for the purpose of making some repairs in the town hall, and the one before that was a burial rate, previous to the burial grounds being handed over.

40. Last year you don't seem to have made any rate at all?—We made a rate in 1876.

41. That was for the current year?—Yes.

42. But not for the year last audited?—No.

43. And the year before you had a burial rate?—Yes.

44. Did you collect that last year with the income of the improvement rate made in 1875 or 1874?—Yes, there was a balance over.

45. When was the last improvement rate made?—That was the last in 1876.

46. And was the one before that made in 1873 or 1874?—The rate made previous to that rate was 3rd December, 1873.

47. Then you made no rate—no improvement rate—between the 3rd of December, 1873, and the one you made in 1876?—No.

48. When did you make the improvement rate in 1876—the one now in course of collection?—It was made on the 19th April, 1876.

49. That would be just at the close of your financial year?—Eleven days before they were out, and none was collected before the last audit.

50. How much in the pound was that?—One shilling on houses, and 3d. on land. That is the extreme we could go to.

51. Do you provide the town with water?—Yes, we do.

52. But have never exceeded 1s. rate?—No.

53. What was the amount of the burial rate?—The burial rate was only 6d.

54. Is 1s. the amount you usually strike when you do by an improvement rate?—The one in 1875 was only 8d.

55. And the only other rate you made in the meantime was the burial rate?—Perfectly right.

56. And was not that at an 8d. rate made in 1874 to enable the Commissioners to enclose the Abbey graveyard?—That was the one.

57. Was that graveyard situate in the town, but since transferred to the Board of Guardians by the operation of the Irish Church Act?—Yes.

58. Did that rate produce £139 4s. 1d. 1?—Yes.

59. And of that amount did the auditor report £139 18s. 6d. had been collected and paid previous to the audit of 1875?—That is right.

60. And the balance of £5 3s. 7d.—was that declared by the Commissioners to be irrecoverable?—Yes.

61. So that rate was all cleared up?—Yes.

62. And no burial rate was made since 1?—No; we had no power. It was on June 3rd, 1874, that rate was made.

63. Has the whole of the improvement rate made in December, 1873, been cleared up?—It has, with about the same balance irrecoverable.

64. Then you collected more than Mr. Finlay thought you had done?—Yes; the difference is accounted for in another rate. There might have been some small sums not collected when he made that report.

65. But has it been all cleared up since except this sum of £3 18s. 1?—Yes; that was accounted for by some institutions in the town.

66. Then the 1s. rate that you made in April last, has that been collected?—It has.

67. Within how much?—That account is not yet made up.

68. I find it amounted to £211 16s. 3½d. 1?—Yes. It will be about the same amount that will be irrecoverable. The rate is virtually collected and the money paid into the office, but the balance-sheet is not yet made out.

69. However, is it collected as closely as the one before?—It has been.

70. And has it been all paid in to the treasurer?—All paid into the bank.

71. What is the system adopted by your collector? Does he pay in weekly?—There are some weeks he may not get more than a couple of pounds; but he generally hands in the amount weekly.

72. Does he give a bond?—He does.

73. With sureties?—With two sureties.

74. Have you got the custody of that bond?—I have.

75. Have you got it here?—I have not. It is with my papers in the town hall.

76. Are his instructions to lodge weekly?—If he has money he is required to do so. He is bound to lodge weekly. I do not know if that is set out; but it is his custom. He has a receipt book and a book of the receipts, which he brings and reads out to me and then I put my initials to it.

77. Do you compare the lodgements in the bank with the counterfoils of his receipts?—He keeps one of these lodgement books, and in the book of that he gets it initialed. He is our rate collector and our weigh-master, and his son is our market clerk. I give them a book to keep and they get the bank clerk to sign the book when making a lodgement, together with an entry of the amount lodged; and then he brings this book to me and shows it to me.

78. Is there any specified day for lodging?—None whatever.

79. How often does he lodge in the case of the market?—He shows his book every week; and in the case of the rate, whenever he has anything worth while he lodges it. He may let it run on to £10 or £12 before lodging.

80. How often do the Commissioners meet?—Monthly; but there may be special meetings besides on special occasions.

81. Are all his accounts as checked by you submitted to the Commissioners every month?—No; only quarterly.

82. Do the Commissioners only know the state of them quarterly?—That is all.

83. But he comes to account to you, you say, practically much oftener than once a month?—Yes; oftener. When the money is coming in freely to him, he comes often to get rid of it. When Mr. McDermott came here first he disapproved of the way we kept the accounts, and instead of the mode of payment adopted for petty affairs, he suggested that the Commissioners should give me at the beginning of the year a £10 cheque to defray incidental expenses. At the close of the year I re-lodge that cheque, and at the end of every quarter say how I spend the Commissioners' receipt me. In fact, I have a floating cheque for £10 in my pocket, and I account every quarter for it.

84. How long has this collector been in office?—I should say about six or seven years.

85. And has he always collected his rates well and punctually?—Oh, yes. In fact, this man is town sergeant, collector, council clerk, and hall keeper. He resides in the Town Hall, and his son is weigh-master.

86. So that he and his son hold, in fact, all the offices under the Commissioners except what you hold yourself?—Yes.

87. What other receipts have the Commissioners besides this rate and these tolls and dues from the fairs and markets?—They have the fines and penalties imposed in their own court, and a moiety from the petty sessions court now.

88. What did they amount to last year?—£27 14s. 11d.; being £45 7s. 6d. received as fines and penalties imposed in the Commissioners' court, and £4 7s. 6d. in the petty sessions court.

89. Do you not also get the dog tax? and how much does that amount to?—Yes; £10 12s. 10d. last year.

90. And £10 11s. the year before. Do you not license hackney cabs here?—Yes; we got £13 17s. last year from them.

91. And £17 8s. the year before?—The reason of that large amount was that there was a number of

March 15, 1877.
 Mr. William
 Bennett Gray.

them hanging over from the year before, and we removed them and got in the license duty.

92. Have the Commissioners always licensed hackney cabs and drivers?—Since I have been town clerk at all events.

93. Do you not get some rents for the use of the town-hall?—We do.

94. What do you let it for?—We let it for the hunt hall, and as a barracks for the constabulary during the Puckishness season, and we also let it to the Bar during the summer and spring seasons, and for theatrical entertainments.

95. Are the rents very fluctuating from the hall?—Well, the hall is a certain annual thing; but last year we had it at the police.

96. I see the receipts for the year before were considerably larger than for last year?—Because we had at the police last year nor the militia. They always required it before for stores when they were training here; but we hadn't them last year.

97. Do you hold the town-hall on lease?—Yes, but we pay £25 a year for it.

98. Do you generally get a clear profit by it?—We do.

99. Who do you hold it from?—Mr. De Burgh.

100. On a long lease?—It is a lease for ever, and there is a provision in it that for every £100 the Commissioners pay they reduce the rent until they bring it to £5, but no lower.

101. What sum have they paid off?—They are not going to bring it lower. They consider this a reasonable rent.

102. Are they not bound to pay off?—No; but if we had money to spare we would do it.

103. And you say that no money has been paid off on account of it?—Well, I was not town clerk when it was taken; but I know none was paid—£15 was the original rent.

104. But there was a provision in the lease that for every £100 you paid off you might reduce the rent until it came to £5 a year?—Yes.

105. Was the contribution from Government in lieu of rates on Government property, £4 8s. last year?—Yes.

106. What is the meaning of gas receipts, 15s., in your account? Have the Commissioners guarantee of their own?—No; but Mr. Daniel rents the gasworks from the gas company, and we have a meter in the town-hall from Mr. Daniel, and then if any theatrical people come here we charge them for it.

107. You charge them for the gas?—Yes.

108. Who is Mr. Daniel?—He lives in Mary-street. He is a gas engineer. He bought up the works, and rents them from the gas company.

109. And is your contract for supplying gas with him?—Yes.

110. What is the Commissioners' contract for supplying the public lamps?—It is with Mr. Daniel, we have it at 7s. 6d. per 1,000 cubic feet.

111. Is that the same rate as is charged to private consumers?—The same as private consumers.

112. How many lamps are maintained?—I think we have twenty-two or twenty-three.

113. Are they lighted all the year round?—No; only in the winter months—from the 31st of October until the 1st April.

114. What does the gas generally come to in the year—last year I see it was £30 1s., and the year before 24s 12s. 9d.?—Yes; I think that is what it was.

115. How was it so much more the year before?—We hadn't it at the same rate. The Commissioners made a new agreement since.

116. Who tests the burning?—We have two test meters and two lamps in the town hall, and the rent is returned according to these.

117. Is Mr. Daniel's agent the person who takes the test?—His collector comes down once a month. He has a pair of keys for the two meters in the town hall, and I have duplicate keys, cross keys, and he can't go to the meter without me, and we both go over together, and we check them.

118. Have you a check on him?—I have.

119. We were at a place the other day where the town clerk was also secretary to the gas company?—Well, so am I here, but the gas company have to interest in it.

120. Do the Commissioners clean or sweep the streets at all?—No, we do not.

121. Is that all done by the contractor under the Grand Jury?—Yes, the cleaning and watering of the streets. Some years ago we did it, but not lately. The Commissioners used to get the streets cleaned, and the nature taken off used to be sold; but they have not done so for years.

122. Is anything left undone by the Grand Jury in the way of keeping the back lanes and places clean done here by the Board of Guardians through their sanitary inspector?—They are supposed to do it, but they don't. Nearly all the back lanes of this town are under contract, and the road contractor looks after them.

123. Do the Board of Guardians since they were appointed the rural sanitary authority under the Act of 1874, or does their sub-sanitary officer look after the sanitary state of the town?—He does. He is *ex officio* agent as well.

124. Then he knows the place well?—Thoroughly well.

125. Are the places kept in good condition in the worst parts of the town?—They are reported badly by the sanitary officer as being in a very bad condition.

126. Have any steps been taken to improve their condition?—Yes; by direction of the Commissioners I wrote to the Board of Guardians, and requested them to supply lime and brushes to the poor people, as we used to do. We used to supply them annually, or whenever they asked for it, with lime and brushes, and the inspector took a list of the parties who got them, and they returned them. I wrote to the Board of Guardians about five weeks ago, and they directed their clerk to inquire what houses required it, and then it turned out that the Board considered it was the landlords of these houses that were bound to whitewash them for their tenants, and they made no order for lime or brushes, but said they would compel the landlord to have them whitewashed.

127. Are these houses properly provided with sanitary conveniences—have they privies or closets, and sinks?—These are 100 houses of that class in the town and I don't suppose ten of them have such conveniences—in fact the guardians were taking steps to close them.

128. How is the town off for drains?—Very badly.

129. I see there are a number of main sewers in the town?—There are, but the water-closets are all running into the surface sewers.

130. Are they not connected with the main sewer?—No, not to my knowledge. The sewer is there; but there is no cut-out from this particular main sewer. Some of the sewers run into a mill-race and find their way into an ornamental pond belonging to Mr. De Burgh, at Oldtown, and he is about taking an action against the guardians as the sanitary authority.

131. May I take it that the drainage of the town is very imperfectly provided for?—The surface sewers are made by the Grand Jury at the side of the street to take the rain water—but the water-closets of the town run into these, and they are not more than eighteen inches deep and twelve inches wide. That I consider improper.

132. How long has that been going on?—It's going on from time to time. In some instances for over twenty years.

133. It was so there while the management of the town was in the hands of the Town Commissioners?—Yes.

134. Were no proper connections ever made with the main sewer?—That sewer has no cut-out that we could find. The Commissioners expended £60 on it years ago.

135. Was it made originally by the Commissioners?

—No; it has been a sewer connected with the old pool, where the town hall stands at present.

134. Have all these matters been represented to the guardians?—They had plans made by Mr. Dett, the county surveyor and their engineer. He made a plan for the drainage of the town and it came to such an immense sum—over £5,000 or £6,000—they did not like to enter into it. They have asked him to make more modified plans, but I do not know what the result of that will be. It is Mr. De Burgh's notice to them that made them take this step now.

137. What supply of water have you here?—I think it is very good—it is from pumps.

138. Is it all from pumps?—All the drinking water is, but there are rivers close by.

139. Do the Commissioners maintain these pumps?—The Commissioners put them down.

140. Did they maintain them until the passing of the sanitary Act?—Yes, they put them down and maintained them up to that time.

141. How many public pumps are there in Naas?—Five, and one in the town hall yard. That one we reserve for ourselves.

142. Is it a fact that the water has been analyzed by Dr. Cameron and condemned?—Some of them have. Nothing will induce the people to think they are bad though.

143. When was the water analyzed?—Immediately after Dr. Cameron's appointment.

144. Were any of the pumps closed in consequence of his report?—No.

145. Did the people go on drinking the water from them?—They did.

146. How many of these pumps were condemned?—I think two or three.

147. Did it make much impression on you?—No. I sent water from my own pumps at the same time and I did not agree with him.

148. And could not you be persuaded that the water was bad?—A lot of people sent for the water from the private pumps in my yard.

149. And was that bad?—He said one was bad and that another that came from the same spring was good.

150. Which did you like best yourself?—I could not say.

151. Do you use them both indiscriminately?—I do. The one in my printing yard he said was bad, but the men don't complain of it.

152. Did you send a copy of Dr. Cameron's report to the guardians who are now the sanitary authority?—I do not know whether I have a copy of his report, but the sanitary inspector says he thinks he has got the report. The sub-sanitary officer told me that he had made a written report to the medical officer in reference to the sewage from the closets being allowed to percolate through the soil into the water.

153. But as a matter of fact were none of the pumps or wells closed in the town since that report?—No; we did not know where to get better water. There was a stream that the people of the town used to drink, or that the closet from the board-room of the work-house used to run into. That water goes into a mill-race, and at one particular time there was a great deal of sickness among the people in that locality—more than in any other part of the town.

154. Diarrhea was it?—I don't know what class of sickness it was, but it was considered to arise from the use of this bad water; and the Commissioners called on the Board of Guardians to prevent the water-closets running into it which they did. They did away with the water-closet, and provided an earth closet in its place.

155. How long ago was that?—Five or six years ago.

156. While the Commissioners had the sanitary authority?—Yes. There was a well also in the military barracks, and Colonel Spurgeon sent up a sample of the water to Dr. Cameron. The well was opened and it was found that sewage ran into the well.

157. Was that closed?—Oh yes; Colonel Spurgeon closed that.

158. By whose order?—The Government's. I have got the report Dr. Cameron made on the water from the public pumps. Here it is—

"Duke's School of Medicine, Finsbury-street. I have examined some specimens of water from Naas, and the table on the other side shows the results arrived at. They are all very indifferent specimens. No. 5, in the west; and No. 2; does No. 4. Nos. 1, 6, and 9 are about equal. Nos. 7 and 8 are least dangerous, so far as organic matter is concerned (but No. 7, is worse for sea, owing to the large amount of solid matter which it contains). I cannot speak positively of these waters as a whole, as the large quantities of organic compounds contained in them plainly show that they are derived from polluted sources. Charles A. Cameron, Analyst for the County of Dublin."

159. That was written before the passing of the Public Health Act?—Yes.

160. Did the Commissioners take notice on that by closing any of the wells?—No.

161. Was a copy of that report handed over to the guardians?—I am sure it was not.

162. Will you take care to have a copy furnished to them now?—I will. No. 1 pump situated to in that report was the town hall pump, which was not a public pump; No. 2 was Poplar-hill pump, that was a public pump; No. 3 was the Dublin-road pump, another public pump; No. 4 the Ballinacorney pump, another public pump; No. 5 a pump on the sheep-fair-green, a public pump; No. 6 New-row well; and No. 7 was the one in the military barracks, which he says was worst of all. Since that report was made, the Commissioners got a flag placed over No. 3 pump well, and since then the water has been greatly improved.

163. We will now go to the expenses. You have no sanitary expenses now?—No.

164. Your principal item of expense now is for salaries, £83 12s. 6d., and £99 5s. 8d. the year before, of which £30 was your salary?—Yes.

165. £37 to the weigh-masters—father and son?—Yes.

166. What salary have they each?—The son has £29 a year as clerk in the butter and potato market, and the father as council clerk in the street, £17.

167. Is not the father also your collector?—Yes.

168. What does he receive as collector? Is he paid by salary?—He is paid by fees.

169. By poundage?—Yes.

170. What poundage does he get?—Sometimes 9d., and sometimes 1s. As an inducement the Commissioners sometimes tell him that if he has the collections in by a certain date, they will give him an increased poundage.

171. Was the poundage fixed at the time of his appointment and stated in the bond?—It is fixed at the time he gets his warrant, and it is recited in it.

172. Is that the sum now?—I am sure it is.

173. Yes. He collected £178 the year before, and I am by what he received, that the poundage could not have been more than 9d. Does he not hold some other office besides?—Yes; town sergeant.

174. What does he get as town sergeant?—£10 a year, and his son, for the £30 he receives as clerk of the butter and potato market, acts as clerk to the sheep fair-green as well, and receives the tolls at the gate. There is a small toll of a halfpenny on each sheep going in and the son receives that money.

175. There are I see market porters too. Are these the only officers in your employment?—That is all.

176. Are they paid weekly?—I pay them every Saturday. They bring me over a docket from the weigh-master, and I pay them on that.

177. It is a fluctuating amount I see you pay them?—Yes; we only keep one porter now, as we find it sufficient for our own purposes, and whenever we want additional hands occasionally there are always lots of fellows hanging about who are always willing to earn.

178. What do you pay the market porters?—1s. 6d. a day.

179. Has the town sergeant an annual uniform?—Yes.

180. Do you give £5 3s. 6d. a year for that?—It does not cost that every year.

Naas
March 22, 1877.
Mr. William
Stewart Gray.

HAAS.
March 15, 1877.
—
Mr. WILSON
Surrey City.

181. It cost that amount last year?—Yes; but we got a contract this year for £5.

182. Printing, stationery, and advertising last year cost £14 18s. 5d., which appears only half what it cost the year before?—There were two years put in the year before.

183. Then would £16 a year be a fair average for that?—It is generally less; £14 would be a fair average.

184. What are the election expenses entered in your list?—In case we have a contest there are some small expenses attending, and the returning officer is allowed his expenses.

185. Are you the returning officer?—No; the chairman is the returning officer and polling clerk.

186. You had apparently a contest last year, and the expense amounted to £4 15s. 8d.?—Yes.

187. Did you pay the auditor five guineas last year, and four guineas the year before?—Yes; but since the year before the Local Government Board made an alteration in the scale and sent us a circular.

188. The rent and taxes for the town-hall and Fair-green come to a good sum—£48 12s. 5½d. last year, and £48 15s. the year before. Then you have a large sum for repairs of the town-hall last year—£105 12s. 1?—That was only portion of a contract for £200.

189. Was that a balance?—No, that was an instalment. The balance has been paid since. That is what the Improvement rate was struck for. To meet that we had a surplus on hand, and the Commissioners struck a rate.

190. Last year you began with a balance in your favour of £61 18s. 11d., and you ended the year with a balance due to the bank of £33 4s. 11d.; then finding you had not sufficient funds you struck a rate for the current year. Will that give you a good balance at the end of the year?—No, the contract is large; but we won't be in debt.

191. You charge I see for fuel for the town-hall £3 18s., and £7 14s. for incidentals. What were they?—They are small payments.

192. Were they all submitted to the auditor?—Yes; and passed by Mr. Finlay.

193. What was the disallowance of one guinea by Mr. Finlay in respect of?—In reference to the auditor's fees, Mr. Finlay said that was a monstrous charge to make on the account. He comes down here and audits the Union accounts at the same time as ours, and he thought that a monstrous charge to put on the town.

194. But this disallowance—what was that for?—For the attendance of the clerk of the union with his books. The chairman for the time being thought it was necessary to have the clerk of the union present with his books. There was a clause in the Town Improvement Act that required his attendance, but since that was passed, it appears he is not required to attend. But at any rate the Chairman took it on himself to bring him up, and Mr. Finlay disallowed the amount. Since then the clerk of the union has been speaking about it to Mr. Finlay, and he says he will look more fully into the matter.

DR. HAYES, Town Commissioner, examined.

195. Previous to the Act of 1840, were not the Corporation possessed of a considerable amount of property?—Yes, I always understood so.

196. That was what the Commissioners reported in 1835—that the rent of a much larger property, producing £312 17s. 7½d. a year, was vested in the old Corporation?—Yes.

197. It was doubtful, they said, whether property amounting to over £500 a year was not, but at all events property and the amount I have mentioned was. Was not that just about to be granted in fee-farm to the Lord Mayo of that day?—Just about a year before the Act passed, it was intended to be granted; but the deed was never executed.

198. Therefore it remained in the hands of the Corporation, and what I understand is that this property had been let to trustees, for the purpose of supporting a Protestant Orphan Society, but the information I have before me from the town clerk, does not tell when that lease was granted. Mr. Finlay, who mentioned it before the House of Commons, said it was about 1840 the assignment was made?—The transfer took place on the 16th of November, 1836.

199. It was long then before the Municipal Act of 1840 was passed, abolishing the old Corporation?—Yes, the transfer took place on the 16th November 1836, and was between the sovereign, the burgesses, and Corporation of Naas, of the first part; the Right Honorable John Bourke, Earl of Mayo, of the second part; and Walter Burgh, Arthur J. Preston, Hercules Robinson, Richard Bourke, and Pennebury Moore, of the third part.

200. Were they the trustees?—Yes, these gentlemen were appointed as trustees by the said Earl of Mayo. First the Corporation agreed to make over the property to the Earl of Mayo, but that deed was never perfected.

201. Was it to be a fee-farm grant at £12 a year?—Exactly.

202. And the deeds were drawn but were never engrossed or executed?—Never. This property was held by letters patent from James I. First there was a grant by Elizabeth.

203. Have you got the deed there?—I have a copy of it.

204. Does that recite under what authority that grant was made?—It does. It first recites the grant of James I. to the Sovereign and Corporation of Naas. The Corporation held first under Queen

Elizabeth's charter, and then when James I. came to Ireland he called on all the towns to surrender to him their property, and he made a request of it to them in a few days after.

205. By what authority did the Corporation transfer this property?—Whereas on the several members of the said Corporation at a meeting properly called and held for the purpose on the 29th September, 1835, resolved that a fee-farm grant for ever of the several lands and premises comprised in certain letters patent of King James I., bearing date the 2nd day of May, 1609, excepting, however, and reserving thereout the certain lands and premises mentioned and comprised in a certain fee-farm grant from the Corporation to the said Bourke, Earl of Mayo (grandfather of the present Earl), be executed and approved by the Corporation, unto the said Earl of Mayo and his assigns, subject to the yearly rent of £4; and whereas the said Earl of Mayo agreed to accept the said fee-farm grant, but no deed has been executed. Then it goes on to transfer the property to the other trustees jointly, and he accepts the trust, signing the deed himself.

206. This deed recites that the Earl of Mayo sold on the Corporation in pursuance of that resolution, and that they agreed to hand over this property for the benefit of the children of deceased Protestant parents, the children in the town of Naas to be always considered in preference if there were enough of them?—Yes; but that is not adhered to. There are English children on the list.

207. They were to pay a yearly rent of £12, but that does not appear to have been paid since?—There is a portion of it paid to the parish church of Naas. You will see that £9 of it was for the repair of the parish church of Naas.

208. I see nothing about the sum of £12 here being paid to any other party. The resolution is that it should be paid to the Corporation, and they are now represented by the Commissioners?—The grant was on condition of "paying thereout to his said Majesty, his heirs and successors, £4."

209. That you believe to have been always paid since, together with that £9 to the parish church?—It was paid up to 1873 any way.

210. In point of fact did the Commissioners get nothing out of these lands of Magdalen?—Not a farthing. The deed first recites all the houses and lands made over to Lord Mayo, with remainder to the trustees.

211. And were these lands made over to a previous Lord Mayo, grandfather of the present Lord Mayo?—Yes.

212. There was a small rent paid by him. What became of that?—I don't know.

213. The extract I made from the Commissioners' report was that a valuable portion of this property was granted in fee-farm to the annual rent of a few pounds, but the Commissioners do not mention how much?—No.

214. Mr. Tracy (Chairman of the Town Commissioners).—I have been told by some of the old inhabitants that at the time this transfer took place the people took the opinion of Daniel O'Connell, and he said that the deed could not be broken except by a special Act of Parliament.

215. Dr. Hayes.—By the letters patent of James I. it is left to the Corporation and their successors for ever.

216. CHAIRMAN (to Witness).—In point of fact, then, this property which the Commissioners reported upon in 1835 was, in a few years after their report was made, transferred to this society, and the inhabitants lost the benefit of it entirely?—Yes.

217. Is the condition that the poor children of parents resident in Naas should have priority not complied with by the society?—There would not be sufficient Protestant orphan children to fill the place.

218. But see the orphan children of Naas who claim to be maintained by the society first provided for in the orphanage?—If they applied they would. There is no doubt the gentlemen connected with it are first class.

219. But do you mean that Naas orphan children have been ever refused?—Not at all.

220. Where is this orphanage?—In Naas. They meet in this room.

221. How many children are there in it?—I don't know.

222. Do you know who it is managed by?—Yes; the Rev. Maurice De Burgh, Mr. Moore, of Killybeg, Mr. Barlow, of Straffan, and Baron Robock.

223. Do you know if there were any other lands at that time belonging to the Corporation?—None other except what was made over by fee-farm grant to the former Lord Mayo.

224. The same resolution recites that the Corporation at that time proposed to grant in fee-farm for ever the markets and fairs of Naas at £9 15s. 6d. a year to Lord Mayo. That was not done, of course, for you have them now?—We have them now.

225. But was it not agreed at that meeting on the 29th September, 1835, to grant this property to Lord Mayo, and, furthermore, was it not proposed to also grant him the fairs and markets at Naas at £9 15s. 6d. a year?—I don't know whether that was ever done. There is nothing about it in the deed.

Mr. James Samsom examined.

227. Are you the town sergeant and collector?—Yes.

228. And were you the sanitary officer before the Town Commissioners ceased to act as the sanitary authority?—Sub-sanitary officer.

229. Are you sub-sanitary officer now to the Guardians?—Yes.

230. I understand you made a report to the Guardians upon the very bad condition of the drainage of the town?—I did.

231. You made the report to the sanitary officer—the dispensary doctor?—I did.

232. And has that been reported to the Guardians?—It has.

233. When was that report made?—There was a report lately—within the last week—about a sewer in the street; but it is twelve months or more since I reported first.

234. Did you make two or only one report to them?—I made different reports about different parts; but the last one was about a sewer in the street. The general drainage of the town I reported on twelve months ago.

235. Was anything done by the Guardians to

226. Do you know whether there were any tolls or fees receivable by the Corporation beyond what is received now?—Certainly. I recollect the tollmen receiving or collecting at what was called the custom-gate, just above the hotel.

227. What you receive now are not old tolls?—No; we have no tolls. The horses or cattle pay nothing, and the sheep only half a penny; and that is merely to pay the ground rent, but we have no tolls. In the potato and butter market there are no fees except for weighing.

228. But there were certain tolls which were payable to the old Corporation of Naas, which, I presume, were handed over to the Lord Mayo of that time—for instance, "a year's rent, £9 15s. 6d." I want to know what became of that £9 15s. 6d.?—I don't know.

229. There is no notice in the account of it. Do you know whether Lord Mayo receives any tolls?—He does not.

230. Are there no tolls levied in Naas now?—No.

231. Do you know under what patents these tolls were levied by the old Corporation?—No, except by old charters.

232. Have you no records about it?—No.

233. Was ever any opinion taken with regard to this property except Mr. O'Connell's?—No; at the time of the enclosure there was great dissatisfaction in Naas. I know the people met and the Rev. Gerald Doyle, &c., took an active part in it, and took some opinions, but I don't know what they were.

234. CHAIRMAN (to Mr. Tracy).—Did you ever see Mr. O'Connell's opinion on the case submitted to him?—No; but I have that from two opposite quarters, so it must be true.

235. What was the necessity of expending the money you got in as the result of the burial rate?—The place was in a most dilapidated state, with no fence around it, and it was for the poor people of the town of Naas it was intended as a burial ground. The owners of the adjoining ground used to have in cattle trespassing on it and the poor people complained of the desecration; and the Commissioners being then the burial board served the usual notice on the landlord of the place to evict it within six months and as he did not do it, then the Commissioners did it, unfortunately, for in nine months afterwards it was handed over to the Poor Law Guardians under the Irish Church Act. That was the cause of the outlay.

236. As you expended £135 15s. 6d. upon it, I suppose it was put into good condition. How was it enclosed?—Nothing more than a good substantial wall built round it under the direction of the county surveyor at the time, who got his fees on it. It is now with the Poor Law Guardians and they have appointed their sanitary inspector superintendent of the place.

Mr. James Samsom examined.

237. Are you the town sergeant and collector?—Yes.

238. And were you the sanitary officer before the Town Commissioners ceased to act as the sanitary authority?—Sub-sanitary officer.

239. Are you sub-sanitary officer now to the Guardians?—Yes.

240. I understand you reported that none of the houses in the lanes in the town of Naas have closets or ashpits?—Yes; several times. I gave a report to the doctor, and I took down the condition of every house in the town of Naas.

241. And has that been reported to the Guardians?—It has.

242. When was that report made?—There was a report lately—within the last week—about a sewer in the street; but it is twelve months or more since I reported first.

243. Did you make two or only one report to them?—I made different reports about different parts; but the last one was about a sewer in the street. The general drainage of the town I reported on twelve months ago.

244. Was anything done by the Guardians to

245. No; the report was made in 1874 or 1875 at the request of the Commissioners; but I want to know whether the Board of Guardians ever saw that report, or were made aware of it?—I can't tell.

250. Is it not a fact that the sewage from the closets

Naas.
March 17, 1875.
Dr. Hayes.

Mr. James Samsom.

NASS.
March 12, 1877.
Mr. James
Samson.

of the houses run down the surface drains, and does not go into the main drains?—It runs down the surface drains.

251. And over that into the road?—No, it runs into the surface drains or sewer under the surface drain, and then goes in that covered drain, at this end of the town, until it goes to the canal and joins the sewage from the quail. Then from the other end of the town, at the town hall, it goes the other way. But in this end it goes down to the basin, and on to the canal; but from the town hall down it goes into the sewer and into the stream down the other way.

252. Did you draw the attention of the Commissioners to a sewer outside the court-house last week?—Yes; that is the one I reported on.

253. Is that a paved drain?—No, nothing but a gravelled bottom, walled with lime and sand, and covered with lime and sand.

254. Is there anything to prevent the overflow filling into the ground?—Nothing to prevent it soaking down into the ground; but the surface sewer is paved over that.

255. Is that surface drain running in close proximity to any well or pump?—It does. It runs down to the canal, and passes a well the people use at about ten paces on one side of it.

256. Has all that been reported within the last week to the Guardians?—It was reported. This drain here where it opened at the court-house.

257. You are collector for the last six years?—Yes, of the town rate.

258. Do you collect the dues of the market as weigh master?—Yes.

259. How often do you pay the money you receive to the treasurer?—Sometimes I lodge the council money every month, just as my account is due.

260. Do you account every Saturday to the town clerk for what you receive during the week?—My account settles every Saturday for the markets. If I receive £10 or £20 in a day I lodge it at once.

261. You never keep any cash exceeding £20 in your hands over a week, or so long?—No, I do not to my recollection I never kept it at all.

262. Do you get rid of the money as fast as you can?—I do.

263. How closely have you collected the premium?—I think there is £4 or £5—it may be less—not collected; debts that could not be collected.

264. You collected all that could be collected?—Yes.

265. What is your system—do you show your rate book to the town clerk or the Commissioners, and get them to certify that the balance cannot be collected?—Yes, that is the way. I go before the Commissioners when I want to get paid, and produce a list of the collected and uncollected rate.

266. And with regard to this last shilling rate, have you collected all that could be collected?—I did.

Mr. Thomas
Molloy.

Mr. EDWARD MOLLOY examined.

267. Are you secretary to the Protestant Orphan Society?—I am.

268. We understood that so long back as 1835 the old Corporation of Nass and the then Lord Mayo executed a deed by which a property, the rents of which were £222 a year, was conveyed to trustees for the benefit of orphans of Protestant parents subject to the payment of £12 a year—is that so?—Subject to the payment of £12 a year?

269. Yes?—It was conveyed in fee-farm to the trustees of the Protestant Orphan Society; but I am not aware of any annual payment of £12.

270. Is 19th November, 1833, the date of the deed?—1839 I think was the date of the deed; but I speak from memory only.

271. Have you the custody of the deed?—I have not at present.

272. There was a copy of it produced, and it was dated in 1835, which would make all the difference?—I could not tell the date from memory.

273. You have not the deed?—I have not. It's in the possession of the solicitor to the trustees at present.

274. Does he live in Nass?—No, in Dublin.

275. Could you get it for me, inasmuch as if it was 1839 that would be subsequent to the Act against the alienation of corporate property?—I am speaking from memory, and could not tell the date. If I had known you would be here I would have made myself up on it.

276. Can you tell what the rents are that are received now from the property?—£220 odd.

277. What benefit do the inhabitants of Nass get for this?—It was left for the support of destitute Protestant children.

278. How many children are maintained in the orphanage?—Thirty-five at present.

279. And how many of these are Nass children?—I could not tell. I don't think there are any Nass children there at present.

280. Supposing there was only one vacancy, and that a Nass child was a candidate for admission, and that there was another child from another part of Ireland—would the Nass child get the preference?—I don't think they would receive any children out of the county Kildare.

281. Is the orphanage confined to the county Kildare?—It is.

282. Is it true that at present there are English children there?—I heard that, but it is a random statement. Whoever made that statement made it under a mistake.

283. Do you believe the trustees confine it to children born in the county Kildare?—Unquestionably.

284. Are there any children there now born of English parents?—Children born in the county Kildare.

285. Supposing now in the case of a soldier who only had a temporary residence in the county Kildare, but had a child born here, and that he afterwards died in India, would that bring the child under the rules of the society?—Certainly not; but if the mother was still living in Kildare when the husband died in India the child might have a claim. The case alluded to was that of a cookman to the Marquis of Drogheda, who died lately. His wife and child were both born in the county, and the child is in.

286. Is the orphanage full?—The children are given out to nurse; there is no orphanage.

287. What is the nature of the institution?—The children are given out to nurse.

288. How can they spend £320 a year in that way?—They pay £8 a year, I think, for them.

289. £8 for each child?—£7 for some and £8 for others. When they are with the parent they allow £7, and when they are not £8.

290. In fact, this is a subsidy for putting children out to nurse?—Yes; but they are under the surveillance of the clergyman of the parish, and have to be certified as being fully attended to every half year, and they are brought in here as well.

291. Have you any income except this £320 a year?—None whatever.

292. It appears there was a grant to Lord Mayo of some tithes belonging to the then Corporation, and I want to know do you receive anything from any tithes?—Nothing whatever.

293. Or from any other source?—Or from any other source. There is tithe-rentcharge, quit-rent, and many other things to come out of the payment to the Protestant church at Nass; £9 for repairs of the Protestant church.

294. Up to what age are the children kept out at nurse?—Up to fifteen years, and then they are apprenticed to a trade. They get a fee of £5.

295. How long are you secretary?—I think about two and a half years.

296. Have there been any Nass children under charge of the trustees during these two years and a half?—Yes, there was one.

297. Only one?—Only one, that had been with its mother in Nass, but it is since dead.

DROGHEDA.—WEDNESDAY, MARCH 21, 1877.

(Before Mr. COBBETT and Mr. LAWLESS, q.c.)

Mr. JAMES KILLICK, Town Clerk, examined.

DROGHEDA,
March 21, 1877
Mr. James
Killick.

1. CHAIRMAN.—How long have you been town clerk?—Since 5th November, 1867.

2. Your duties are those prescribed under the Municipal Corporations Act of 1840?—Yes.

3. Have you adopted the Towns Improvement Act here?—Yes, since January, 1855.

4. Has any rate ever been made under that Act?—There was a rate, I believe, made in 1856; but there is a member of the Council here, who knows more about the matter than I do.

5. That was before you were town clerk?—Long before it.

6. I understand that that rate was contested and led to so much expense that the Corporation has never had another rate since?—They have not.

7. What does the Corporation consist of?—Twenty-four members—eighteen councillors, and six aldermen, who are elected by wards.

8. How many wards are there?—Three.

9. Can you tell me the number of burgesses, the rateable value, and the population of each of these wards?—The names of the wards are:—Fair-gate, Laurence's-gate, and West-gate.

10. Can you give me the valuation of these wards separately?—I cannot; but there is a gentleman here who can do so.

11. Give me the number of burgesses in each ward?—In Fair-gate Ward there are 84; in West-gate Ward there are 94; and in Laurence's-gate Ward 150.

12. Has Laurence's-gate Ward the largest population as well as the largest number of burgesses?—I think it is the richest ward of the three; and has, I think, the largest population as well as the largest number of burgesses, but I am not exactly certain as to that.

13. You may not be able to give us the population of each ward, but you will the rateable value?—I cannot give you the population, but I will give you the rateable valuation.

14. What is the area comprised within the municipal boundary?—The engineer has the return of the area.

15. It is much less, I believe, than it used to be?—Oh, much less.

16. The parliamentary boundary, I believe, is 5,760 acres?—Yes.

17. And was the municipal boundary originally the same?—It was originally.

18. But since the Act of 1840, it has been reduced very considerably?—Very much. I think there are only about 450 acres now.

19. Are the wards the same as they were set out in the Act of 1840?—Just the same.

20. They have been changed in many places, and I wished to know if they had been changed here?—They have not.

21. The boundaries are those fixed by the Municipal Corporations Act of 1840?—Precisely. The three wards were set out in the schedule of that Act, and have not been changed since.

22. Mr. LAWLESS.—Wasn't there a redistribution of the wards here in 1853?—No.

23. Are you sure of that?—I am quite certain of it.

24. CHAIRMAN.—I gather from them, that your population is a decreasing one—that it has decreased at each census?—I think it has been decreasing.

25. I suppose I may take these figures as correct. In 1851, your population was 19,843; in 1861, 14,740, and in 1871, 13,510?—Yes.

26. Has your population been increasing or decreasing since 1871?—I rather think it is now increasing.

27. Is the mayor elected from the aldermen and councillors indiscriminately, or from the aldermen alone?—From the entire Council.

28. And the election of mayor does not, I suppose, create a vacancy in the twenty-four who comprise the Corporation?—No.

29. Does the mayor receive a salary?—He does; a very small one of £150 a year.

30. What officers have you in the Corporation besides yourself and the treasurer?—There is the engineer.

31. Is there, irrespective of the bank, a treasurer who receives your rents?—There is a treasurer appointed under the Corporate Act, who receives our rents, and lodges them in the bank to the credit of the borough fund. The account is kept at the bank with the borough fund.

32. Are the cheques on that fund drawn by the members of the Corporation or by the treasurer?—They are drawn by the Corporation, signed by the treasurer, and countersigned by me as town clerk. (Copy account of Hibernian Bank with borough fund produced.)

33. Give me the names of your officers and the salaries?—The Mayor has a salary of £150; the treasurer a salary of £140; the town clerk, £50, and £10 as executive sanitary officer.

34. Do you hold no other office?—No.

35. Has the engineer £100 a year?—Yes.

36. And how much has the sergeant-at-mace and court-keeper?—£34 10s. The mace-bearer has £32 10s., a portion of which is for his services as sub-sanitary officer, for which he gets £2 a year, and it makes his salary £32 10s.

37. Amongst your officers I see a bellman and caretakers—what are the salaries of these?—The bellman has a salary of £10 a year, and as to the caretakers, one is caretaker of the mayoralty rooms, and the other of the fish-market. The salaries of the two caretakers amount to £33 12s. 8d.

38. Have you a consulting sanitary officer?—Yes.

39. What does he receive?—£10.

40. And the dispensary doctors are ex-officio sanitary officers?—Yes, but they are paid by the Poor Law Guardians.

41. Are these all the officers you have?—All the officers.

42. Do you clothe any of these men?—Yes; you will find in the accounts, "Clothing for the town-sergeant and watchmen, £17."

43. Is the sergeant-at-mace the town sergeant?—He is.

44. What are these watchmen?—There are six watchmen set down in the accounts as "Watch establishment."

45. Have you these watchmen to assist the constabulary here?—Yes.

46. What are they paid?—Five of them are paid 12s a week, and one, who is a kind of superintendent over them, is paid 16s a week.

47. Their duties are, I suppose, those of night-watching only?—For night-watching only.

48. The receipts of the Corporation, I believe, exclude almost exclusively from real property?—Yes.

49. What is the total of your rental?—About £3,300.

50. I see by the last year's account, audited up to the 31st August, 1876, that your receipts were £2,235 9s. 3d. 1—Yes.

51. Is £2,316 the amount of your entire rental?—Yes.

52. Arising from 248 holdings?—Yes.

53. Does that comprise the whole?—Yes.

54. The great bulk of these small holdings, I suppose, are tenements in the town?—They are.

55. Can you tell how much is in the county Meath, how much in the county Louth, and how much in the county of the town of Drogheda?—The engineer will be better able to give you that information.

56. Except the rate to which you have referred, no rate has been made since you became town clerk?—No.

DEBORAH
March 22, 1891.
Mr. James
Rifles.

57. And you have not, I believe, ever made a borough rate?—Never.

58. Have you made a sanitary rate since 1874?—No.

59. Is that no rate at all?—No.

60. Then is this £3,711, which constitutes your receipts for the year, principally derived from your property, from the public houses, and the seasonal dues, except the payment from the bridge committee, which was an exceptional receipt?—Yes; but I should mention that we do not get the dog-tax. The county treasurer gets that.

61. What are these public houses to the receipts of which you are entitled, and under what authority are these tolls levied?—They are not tolls—they are mere dues, which are set up annually to public auction.

62. Do the Corporation set the amount annually by public auction?—Yes.

63. What were they let for last year?—£150. They are let to the highest bidder.

64. Is £150 the average you get for them per annum?—We have got more for them for the last three or four years than we did previously. Some years they were let for £70 or £80, but now the letting has come up to £150.

65. Is that, then, the highest?—It is the highest.

66. Have you no public markets?—None, other than these markets.

67. And there are no tolls from any markets?—No; they were abolished years ago.

68. Have you no public or covered markets belonging to the Corporation?—We have the open market, but that comes under the head of the crown.

69. Have you none in which rents from stalls or shambles, or anything of that kind, are received by the Corporation?—No; we receive no rents other than the crown—in fact we pay a rent for the fish-market and the hay-market of £60 per year.

70. Mr. LAWRENCE.—Do you derive anything from that?—Yes, portion of the carriage comes out of that.

71. CHAIRMAN.—Do you weigh the hay and straw?—No, the farmer does.

72. Last year I see you received £92 10s. 5d. on account of the petty sessions and court fines?—Yes; that was for two quarters ending 31st August, 1876.

73. For some time before you had that, I believe, received any fines?—We had not.

74. In consequence of your attention having been called to the matter by Mr. Collet, I believe you made an application for these fines?—Yes; we submitted a case to counsel, and by his direction made an application to the magistrates at petty sessions, and the clerk was ordered to pay us the fines (except the fines for licenses and licenses) on behalf of the borough fund.

75. Do not you receive the fines from the mayor's court?—We receive all the fines of the mayor's court now.

76. Did not you receive them before?—Never.

77. The only other receipts appearing in the last year are £8 2s. 6d. from the Government, half salaries of the sanitary officers, and £2 for gas of the majority rooms?—Yes.

78. That made your total receipts £3,711 5s. 7d., exclusive of the balances brought forward by the treasurer from the preceding year amounting to £143 3s. 10d.?—Yes.

79. Making the total receipts £3,860 13s. 5d.?—Yes.

80. Do you receive any portion of the corporate income yourself?—I do not.

81. Are not the fines paid to you?—No; they are lodged by the clerk of petty sessions himself to the credit of the borough fund account.

82. What are the charges on the corporate property—have you any debt outstanding?—Yes; the entire amount of charges on the corporate property is £9,460.

83. Are these secured by mortgages?—There are six of them by bond, and the first of them on the list is for £3,000 due to Mr. Thomas Plunkett Cadman.

84. At what interest?—Four and a half per cent.

85. How long ago, and in respect of what, was that money borrowed?—It was borrowed for the purpose of building St. Mary's bridge in 1843.

86. Was it borrowed with the consent of the Lords of the Treasury?—It was.

87. Was there any provision for a sinking fund?—Not that I am aware of. I have not a copy of the mortgage.

88. And no portion of that has been repaid?—No.

89. The next is a loan to Mr. Moore for £1,200?—Yes.

90. At what rate of interest?—At four and three-quarters per cent.

91. Was that borrowed for the same purpose?—It was borrowed to partly pay off the liabilities of the Corporation at the time.

92. What is the date of the loan?—I have not the particulars of the loan. The treasurer, who is here, says that it is sixteen years since the money was lent. I have the records, which I can produce for you.

93. Then I see there is £3,000 owing to the Sisters of Charity—that is that for?—That was borrowed at the same time to pay off the debts of the Corporation. One of the trustees, Mr. Chadwick, has been seeing me if we have any bonds or records, that the ladies of the convent held no security for this £3,000.

94. Mr. LAWRENCE.—When was that sum borrowed?—I could not tell you.

95. CHAIRMAN.—But you believe it was borrowed about the same time as Mr. Moore's?—I think so.

96. Were those two loans borrowed with the consent of the Treasury?—Yes.

97. Were the Lords of the Treasury aware that they were to pay old debts?—I cannot say. I wasn't in office at the time.

98. The Sisters of Charity were to get five per cent.?—Yes.

99. You have a debt down to the county infirmary of £500, also at five per cent.?—That, I think, was a debenture. It was an old debt.

100. And then you have what is called "Mr. Boller's bequest." What was that?—That was a sum of money he gave years ago to the Corporation, for a charitable institution, on behalf of the poor of St. John—it was a bequest to the poor portion of the town, in consideration of £100 at the time. The interest is paid to the receiver of the poor of St. John's.

101. What is the rate of interest?—Six per cent. We pay £6 a year to the agent of the charity, over which there are twelve trustees.

102. What is the debt to Mr. Pentland, £500?—I could not tell you; that was long before my time.

103. I believe that some of these are mentioned in the report of the Commissioners on outstanding debts in 1835?—I think some of them were.

104. They were, at least, antecedent to the passing of the Act of 1840?—Yes.

105. The Corporation are not, I believe, manufacturers of gas themselves?—No.

106. Then you light the town by contract with the gas company?—Yes.

107. What is your contract?—For one year, to terminate on the 30th April next, for 149 lamps, at £3 2s. per lamp.

108. Are they lit all the year round?—No. Thirty-one are lit all the year round, and the remainder for seven months only.

109. Are the hours limited within which they are to be lit?—Yes; they are limited to be lit within one hour after sunset, and to be extinguished at the following hours:—In April, at 4.30 A.M.; in May, at 3.30 A.M.; in June, at 3.30 A.M.; in July, at 3 A.M., and in August, 4 A.M. The others are to be lit from dusk until six next morning.

110. What officers give bonds here?—The town clerk and treasurer. I may mention that although I give bonds for the custody of title deeds and laws since 1870, there are two keys kept of the safe, so that if any party come here asking for a document I

could not show it to him unless in the presence of the Mayor, who holds the other key. The Mayor and myself have a key each.

111. What is the amount of the bond you give?—£600.

112. And what is the treasurer's bond?—£1,500.

113. Have you the custody of the treasurer's bond?—That is in the safe at the present moment.

114. And who has the custody of your bond?—The late Mayor, Mr. Whitworth, &c. for Norway, got it, and he has not given it up to the present Mayor yet.

115. Are you the only two officers that give security?—Yes.

116. Is the treasurer re-appointed year after year?—He is not.

117. Mr. Knagge (Mayor).—It is understood that his appointment is from year to year.

118. Town Clerk.—The re-election or re-appointment never takes place. It never did from the day of his appointment up to the present, at all events.

119. CHAIRMAN.—Has there been any hand given since the first bond?—Yes; if any one of the sureties died, there would be another substituted.

120. But there is not a fresh bond every year?—Oh no.

121. I understood you to say you were the executive sanitary officer?—Yes.

122. I suppose here as elsewhere the same form of proceeding goes on—you receive the reports from the sanitary officers and you produce them to the sanitary committee of the Town Council. Is that so?—Yes.

123. Can you say whether or not these reports are generally acted upon by the Town Council or the sanitary committee of the Council?—There is a sanitary committee appointed consisting of the whole Council, and they meet on the second Wednesday of every month.

124. And are these reports generally acted upon, and does the Corporation show a desire to carry them out?—Yes. Immediately after I get these reports and bring them before the committee, I direct the

sanitary officers to serve notice, and since the sanitary Act came into operation, except in three or four cases, we have had no prosecutions. The people generally, before the time mentioned in the notice expires, abate the nuisance. But at the present moment I think we have about 50 or 100 notices that have not been complied with, and I purpose bringing the matter before the sanitary committee this day week to see how we are to act on the report of the doctor, who states that in a certain district known as Chatterdown there is not a house fit for human habitation. The notices having been served, the people have whitewashed the houses, but the doctor says that is not sufficient.

125. Is the drainage of the town satisfactory, and are there good main drains through the town?—For myself I could not say.

126. Are there many complaints lodged by the sanitary officers as to want of connection between the houses and the main sewers?—There has been a good deal.

127. Has that been remedied to any extent since the passing of the Act of 1874?—I may mention that the Local Government Board in 1875 sent an order that certain sewers should be constructed. These sewers have been made except one in a portion of Laurence-street.

128. These are main sewers?—Yes.

129. Until these main sewers were constructed there could be no outlet for the house drains?—No.

130. Since these were constructed, have the inhabitants been connecting their houses with them?—They have.

131. And those who have not done so, have they been summoned?—They have been summoned, brought before the magistrates and fined.

132. Is the town free from epidemic disease generally?—It is; I consider the town to be a very healthy one. A guardian here present informs me that there is only one fever case in the hospital.

Mr. JOHN MOORE, Borough Treasurer, examined.

Mr. John Moore.

133. CHAIRMAN.—How long have you been treasurer?—Twelve years.

134. Do you collect the whole of the corporate rents?—Yes.

135. And receive the money from whatever sources coming to the Corporation?—Yes.

136. Except the fines, which, I understand, are paid directly to the bank?—The petty sessions clerk lodges the fines and hands me the docket.

137. You receive the rents of the houses and of the estates?—Yes.

138. Are you paid by percentage or by salary?—I receive £100 a year and no percentage.

139. Where do these estates, by which the Corporation realises £3,500, lie?—The greater portion lies in the county Leith, part is in the county Merth, and a portion is in the borough.

140. Can you tell me what is the extent of the county of the town?—I cannot. The county of the town for parliamentary purposes goes down to Ballymakenny, but the municipal boundary is considerably smaller. The larger portion is in the county Leith.

141. Eager's holding of 53a. 2s. 30r., I presume, is outside the boundary?—Yes.

142. The premises described as houses and gardens, are they in the town?—They are.

143. Amongst the 348 corporate holdings, are there any large farms, or are they generally small holdings?—Well, they are town park holdings and are principally very small.

144. What is the largest rental you receive from any one individual?—The largest sum I receive is £100 per half year from the representatives of Mr. Ogilvie, and that comprises some twenty holdings.

145. Is Mr. Eager's holding the largest single holding?—Yes; we get from that £140 18s. 6d. per annum. It is a farm at a place called Toward, near Ballymakenny. Mr. Eager holds another holding

adjoining, for which he pays £18 every half year. I cannot give you the acreage without referring to the rental.

146. This rental you produce simply gives the rent, the amount received, and the amount of arrears. Why does it not specify the rateable value or the acreage?—The number of acres never appeared in the rental prepared by my predecessors. I can get you the information in a moment; and I may mention that I am preparing a rental which will exhibit all these particulars.

Mr. Eager holds 53a. 2s. 30r. (Irish), for a term of thirty-one years, at £140 18s. 6d. per annum, from the 1st May, 1857. His lease is numbered 1,140.

147. Has that lease been granted by the present Corporation?—It has.

148. Was there any fine paid for it?—No.

149. The rent is not quite £5 per Irish acre. I ask you, as one whom I suppose has some knowledge of the value of land in the neighbourhood, is that a fair rent?—Of course the land may be worth more now, but at the time it was let I was in the Corporation, and I am aware that competent valuers went down to the land, and they were of opinion that that was the full value of the ground.

150. Was that let by auction or by advertisement?—It was let by tender.

151. Was it by public or private tender?—Well, I must explain. Mr. Eager had been in possession under a lease granted by the old Corporation, the validity of which was impeached, inasmuch as it was made at the period when the alienation of corporate property was prohibited. Mr. Eager held the land under the old lease which had been granted to a person named Hardman, of whom he was sub-tenant, and his title was disputed. However, the Corporation then made a new lease to him.

152. Was the rent raised?—Yes; the rent was

Enclosure.
March 21, 1875.
Mr John Moore

mined, and the tenant complained very much at the time, for on the fifth of the old lease he had made certain improvements.

153. He thought he was hardly dealt with?—Yes.

154. The other land Mr. Eager holds, was that let to him about the same time?—Yes. (No. 1,132.)

155. Mr. Eager?—I am poor-rate collector in the parish, and I think it right to state that the land in that district is of a poor, heavy, and wet description.

156. Mayor.—The second holding of Mr. Eager appears to be 34a. 0r. 20r.

157. CHAIRMAN.—Is that land in the same neighborhood as his other holding?—It is.

158. He only pays £36 4s. 6d. annually for his second holding, which is little more than £1 per Irish acre. When was the lease of that portion made?—(Witness.)—1st May, 1856, for thirty-one years.

159. Can you give me any idea of what is the reason for the great disparity between the rent paid for this holding and the other?—As far as I could learn, portion of the land at the time was very bad and swampy.

160. Was that land let by competition?—By public auction.

161. Is it the custom here either to let the lands by public auction or by advertisement?—Yes; sometimes ago they used to be let for little or nothing, but now they are let by public auction in the Crown Court.

162. Up to 1856 had they ever been let by public auction?—No.

163. Since 1856, or some later year, have they been let through advertisements in the newspapers?—Yes; and by the auctioneer at sales in the Crown Court. Since that period we have not had much land to let, as the leases did not expire.

164. I want you to give us an idea of how many farms have fallen in to the Corporation since 1840?—Very few indeed. There were but a few small, very small, holdings. One of them, a holding of about four acres at Townshead, fell in, and was let by public auction. In fact it was mostly house property in the town that fell in.

165. On what terms are the houses in the town generally let?—Lately they have been always let on leases of thirty-one years. There have been some building leases given for seventy-five years, with the consent of the Lords of the Treasury. In some instances where the Corporation gave thirty-one years' leases, the parties agreed to repair the premises, or a valuation having been obtained, the places were let at an increased rent. In other instances tenants were sent in, and some of them were accepted after a little hesitation.

166. With respect to the tenements in the town, and the small farms which have been let since you became treasurer, do you know whether they have been let above Griffith's valuation?—In every instance I think they have been let above Griffith's valuation.

167. Can you tell me roughly what is the acreage of the township in bulk?—I cannot.

168. Can you tell me what portion is in Lenth, and what portion is in Meath?—The greater portion is in Lenth, but I could not tell what is the proportion. I can only say with regard to the rents, that I receive nearly £2,000 a year from the county Lenth side, about £700 or £800 from the county Meath side, and the remainder from the town itself.

169. That would be about £2,000 for Lenth, £700 for Meath, and £300 for the borough?—Yes.

170. Mr. LAWLESS.—Where is the denomination called "Alderman's Acres"?—About a mile from the town.

171. CHAIRMAN.—Is all the property that was held by the old Corporation in the possession of the present Corporation, or is any portion of it outstanding and overheld?—Since the books came into my possession, I know of only one holding where the title of the Corporation is disputed. That is a certain holding in the town the corporate title to which has been disputed

for thirty-five years, and the arrears have been put down during that time.

172. Is it overheld from the Corporation by somebody who claims it as his own freehold?—Yes.

173. Mr. LAWLESS.—Does it appear on your rental?—Yes; the arrears have been accumulating and you will see them mentioned in the account.

174. CHAIRMAN.—I see there is £399 11s. 1½d. arrears, and the sum supposed to be paid annually in respect of the holding is £5 5s. 1½d. It appears that even before 1840, therefore, there was a failure to pay rent to the old Corporation?—Yes; the original tenant was a man named Brenton, and Alderman Carty became the sub-tenant. From what I could learn, I understand that even before the time of the reformed Corporation an agreement was sought against the late Alderman Carty for the recovery of the premises in question; but when the high sheriff went to the place, Mr. Carty challenged him to take possession of the particular place mentioned. The result was that the sheriff refused to execute the orders unless the Corporation pointed out the exact premises. This the Corporation could not do, and things remained as they had been. The present tenant is the representative of Carty, and that is the only holding I am aware of as being at present overheld from the Corporation.

175. Mr. LAWLESS.—I suppose the premises became mixed up with some other property, and then could not be distinguished?—Yes, that is so. The walls were broken down and the distinction became lost.

176. CHAIRMAN.—Is the property held by the present Corporation in other respects the same as that held by the old Corporation, or has any portion of it been sold since 1840?—Yes, there was about £200 per annum worth of corporate property sold in the Incorporated Estates Court in 1850, and with the sum realized, we paid off, I think, about £16,000 of old debts.

177. Was that done with the consent of the Lords of the Treasury?—I think it must have been.

178. You were not treasurer at that time?—No. The value of land at that time was very low, and the property sold brought but a low figure.

179. With the exceptions you have mentioned, does the present Corporation hold all the property held by the old Corporation?—All.

180. Do you anticipate that in the course of a few years, a number of the present leases will fall in?—Yes, and this will increase the corporate revenue. I may give you an instance. A house for which we had been receiving £1 per annum, reverted to the Corporation, and we are now receiving £35 a year for the same premises. A good deal of property will fall in to the Corporation in about ten years, and I should think it will increase the income of the Corporation by £2,000 per annum, should land remain at its present value.

181. Could you tell me for what terms were those lands or premises, which will fall in within the next ten years, granted by the old Corporation?—Ninety-nine years.

182. Are there any leases for ever?—Yes.

183. Mr. LAWLESS.—Are they leases for ever or for lives renewable for ever?—For ever, I think; for instance, the lease of the vicarage and graveyard to the vicar of St. Peter.

184. CHAIRMAN.—Have the Sisters of Charity got a lease for ever?—They are not tenants of the Corporation. A great number of the leases are for 999 years.

185. I see the first ten on the list are leases for either 999 years or for ever?—Yes.

186. Had the great bulk of the leases that have been cancelled been granted in contravention of the restraining Act of 1836?—Yes.

187. Besides the first ten leases, I see there is one more for ever, and eleven for 999 years—that makes twenty-two altogether for 999 years, or upwards; and there is one for 200, and one for 141 years?—Yes.

188. The rest are all under 100 years?—Yes; the great bulk of them are for ninety-nine years.

189. Was there any lease previous to 1840 for less than ninety-nine years?—I think not.

190. And those which were for 990 years and upwards are generally at 6d., or some such nominal rent?—Yes, 6d. or 3d.

191. Since 1840, have leases been granted for more than thirty-one years?—There have been a few granted for seventy-five years. There are three leases for eighty years from the 25th March, 1857, but these are building leases. All the leases above the term of thirty-one years have been given for building purposes.

192. I see these are let at pretty high rents—an acre and a half is let at £23; another lot is let at £32 10s., and a third, which is under an acre, is let at £23 12s. 6d. These are all evidently building leases?—They are.

193. Were all these leases submitted to the Lords of the Treasury?—They were.

194. Your Clerk—I have here now the leases you referred to, and which you requested me to produce. One is numbered 1,140, and grants fifty-three acres to Rager, the other is numbered 1,132.

195. Mr. LAWRENCE.—This lease (numbered 1,132) to Rager, appears to be a lease, according to the instrument for twenty-four acres and twenty perches, and not thirty-four acres, as appears by the rental; and the rent is £38 3s. 9d., the term being for thirty-one years from the 1st May, 1856.

196. CHAIRMAN.—What about the other lease to Rager, No. 1,131?

Your Clerk.—That lease I gave to the treasurer,

Mr. J. MOORE, Treasurer—examination continued.

200. CHAIRMAN.—Can you tell us anything about the recovery of these lands, Mr. Moore?—The leases were made to Holmes at the time the Corporation was not allowed to make leases—about the time of the passing of the Act of 1856. These leases were the subject of considerable litigation, eventuating in an appeal to the House of Lords, and the lands were recovered.

201. Mr. Patrick Courtney (ex-Town Councillor).—Holmes' case was one of many others which went to the House of Lords.

202. CHAIRMAN.—The lease to Holmes then had been granted by the old Corporation after the passing of the Act restricting the alienation of corporate property?

203. Mr. Courtney.—Exactly. Messrs. Brunnington and Gale valued these lands, and they were let some shillings over that valuation.

204. Do you know the terms on which they were let to Holmes?—No. He was the town clerk and obtained leases from the old Corporation for a long period, and he had a promise that they should be renewed before the term expired.

205. There could be no doubt, I suppose, but that they were obtained at much lower terms than the value of the premises?

206. Mr. Courtney.—Well, Mr. William Campbell's holding is bringing in nearly £200 a year more than that under which it was formerly held.

207. Who was it valued the lands at the time?—I think you will find by the minutes it was Brunnington and Gale.

208. The minutes state "that the committee having valued the land," did so—and so, but mention nothing about the employment of professional valuers?—They must have been acting on the report of the valuers.

209. Are you quite sure professional valuers were employed?—There is no doubt of it, and it was according to their valuation the lettings were made. We even did not let the land at their valuation, but put on three or four shillings more. At that time land was not of the value it is at present.

210. (To Witness).—Can you tell me, Mr. Moore, whether, as a general rule when leases fell in the

and I think he handed it to Mr. Simpson, the solicitor, for the purpose of having an ejectment brought?

197. I would like you, Mr. Killean, to read the minutes with reference to those leases of Rager's granted in 1856 and 1857.

Your Clerk.—The first minute is dated 13th May, 1856—

"The committee beg to report that they have viewed and valued that part of the lands of Townrath, lately recovered from the representatives of Joseph Holmes, and now occupied by Tenney, Houston, Rager, Traynor, and Magill; and in relation thereto, your committee recommended that the occupying tenants be called on to send in written proposals for their several holdings; and that if such was the value for some that they, each of them, get a preference for their respective holdings, at lease for thirty-one years from 1st May last, as the terms of their letting out and exceeding same within a period of two months from the date."

The next minute with respect to the matter is dated 25th September, 1857—

"A lease this day, made to Charles Rager, of Townrath, farmer, of part of the lands of Townrath, containing 53a. 2s. 6in. Irish plantation measure, at the yearly rent of £140 10s. 7d."

198. Mr. Killean, those minutes don't inform us whether the lands were let at the same rents or at higher rents than those at which they were previously held. Can you tell us whether they were let at increased rents?—I could not tell you. I have nothing to show whether they were held at higher or lower rents. The resolutions in respect to those holdings were that the tenants were to have them again, provided they offered fair rents.

199. Do you know the circumstances under which the lands of Townrath were recovered from the representatives of Holmes?—I do not. That wasn't in my time.

lands were set according to the valuation of a professional valuer, who had been called in, or according to the value placed on the lands by members of the Corporation themselves?—Latterly they had no public valuers—but they have taken Griffith's post-law valuation with regard to the house property. Then they sent a committee who inspect the premises and report to the Council. In some cases the tenant puts in a tender, but at the times they put a higher value on the lands, and if the tenant applies for the place on the terms mentioned he gets the lease.

211. Since 1856, I understand the Corporation has adopted the rule of advertising and letting their lands by auction?—Yes; they let them in public court here.

212. And houses too?—I don't know of any houses being let by auction.

213. Mr. LAWRENCE.—Supposing a house fell out of lease yesterday or to-day, how would the Corporation let it to-morrow?—Well, I will give you an instance. This time twelve months a lease fell in, and the party in possession put in a tender. They looked at the post-law valuation and deciding that the place was worth more, promised to give a thirty-one years' lease upon getting the increased rent.

214. CHAIRMAN.—Did they put a higher percentage on Griffith's valuation?—They did.

215. Have you known an instance in which the Corporation let below Griffith's valuation?—No.

216. Have any of the leases since 1840 been made to the members of the Corporation, or their relations? I don't know of any lease being made to a member of the Corporation but one, and that was to Alderman Campbell, some years ago. The lease was impeached the same as Holmes' lease.

217. Does Alderman Campbell or his representatives hold that lease?—Yes.

218. Does that lease comprise a house or lands?—A house, situate in West-street.

219. Mr. LAWRENCE.—Was Campbell at that time the tenant in occupation as representative of Holmes?—He was.

220. CHAIRMAN.—Was this one of the leases granted to Holmes recovered and regranted to Campbell?—

DEPOSITION.
March 21, 1871.
Mr. James
Killean.

DOCUMENT.

March 31, 1877

Mr. J. Moore.

Yes, and Campbell's representatives now hold the premises at £25 per annum.

221. When was it granted?—It was granted for a term of thirty-one years from the 1st May, 1857, at £25 a year, the place being described as a house, back yard, and premises situate in West-street.

222. A lease of these premises had been granted to Holmes, under whom Campbell was sub-tenant, and that was one of the invalid leases?—Yes.

223. Was that house and premises valued by a public valuator before they were relet to Alderman Campbell?—I could not say now.

224. Mr. Courtney.—I remember the lands and premises were advertised at the time, and a preference was given to the occupying tenants in case they offered what the Corporation considered was the fair value at the time. I think the original rent of these premises was only £10, and then the Corporation got for them £25 a year. We took the rating in connection with the offer made by Campbell and came to the conclusion that £25 was the value.

225. Do you know whether it was above Griffith's valuation?—I could not exactly say.

226. The Mayor.—The present valuation of the premises is only £24.

227. Mr. Courtney.—I am satisfied the rating could not have been above the amount for which it was set as we were very strict at the time, and we would have held back the property rather than let it under what was the fair value.

228. CHAIRMAN.—Is that the only instance you know, Mr. Moore, of property having been let to a member of the Corporation?

Mr. Moore.—That is the only instance.

229. Were there no other lettings to members?—No. There are a good many members of the Corporation now tenants; but they are not tenants directly, they become possessors of corporate property through buying from other parties.

230. There seem to have been a good many ninety-nine years' leases granted in 1841 and 1842, and I perceive there is one for ever?—Yes.

231. In 1846 there was, I see, a lease given for 309 years?—Yes.

232. That was apparently granted with the consent of the Lords of the Treasury to the bishop for the Presentation Convent?—Yes. There was a provision that he should build a large school. The rent is a nominal one of £1 16s. 11d.

233. For the first two or three years after the passing of the Act of 1840, I see all the houses were for upwards of ninety years. In 1842 I see there is a lease for ever to a number of persons. What was that for?—That was for the Choral burial ground.

234. Was the consent of the Lords of the Treasury obtained for that?—I think so.

235. I observe there are from twenty to thirty leases, varying from seventy-five to ninety-nine years, which were granted during the first two or three years after the passing of the Municipal Corporations Act of 1840. Can you say whether the consent of the Lords of the Treasury was obtained to all these? In some instances, I notice, it is mentioned on the minutes that the consent of the Treasury was obtained, but in others there is no allusion to it?—I could not say without inspecting the leases.

236. Are these leases for small areas?—Yes; they are for 210 feet and patches of that kind.

237. Were they let for building purposes?—They were all let for building purposes.

238. Since 1846, the time that the last of these leases was granted, you gave, I see, very few leases beyond thirty-one years, and for any you did give you got the consent of the Lords of the Treasury?—Yes.

239. Mr. LAWLESS.—Have you got the minutes of August, 1866?

240. CHAIRMAN.—We want to have that as an illustration of the way in which the lands were let?—I have the minute, which I will now read.—

¹⁴Moved by T. G. Moore, and seconded by T. G. Collins.—That Mr. John Farrell get a lease for thirty-one years of his two houses

in Leeson-street at £35 per year, he giving a lease to Mr. Haly of his house for thirty years at the annual rent of £25 per year, on the same condition as contained in his own lease.

241. Do you know if any valuation of the premises was made?—A valuation was made in 1854. They were valued at £35.

242. Are you certain it was in 1854?—Yes.

243. And in 1870 the place was let at £35?—Yes.

244. Mr. LAWLESS.—Was that valuation the Government valuation?—It was Griffith's valuation.

245. CHAIRMAN.—The Corporation did not appoint a valuer?—No.

246. Do you know anything of the value of house property?—Mr. Farrell.—Yes; I am the poorest collector; that was the valuation supplied by Griffith.

247. Do you think that £35 a year is its full value?—I do think so, because the house in which I live requires the outlay of £100 to make it habitable.

248. What has your house to do with the matter?—It is the house referred to.

249. You then are the party to whom the letting was made?—Yes.

250. You are Mr. Farrell?—Yes.

251. But you did not, at all events, object to giving that rent for it at the time?—I did; I had a very hard battle with them about it, and I should not have given the rent for it, because the house is a most unwholesome one, but that its position is so central and so very convenient to me in my position as a collector.

252. Mr. Dady.—I may say that some of the members thought the rent was too low; there was a difference of opinion in the matter, but the highest rent suggested to be put on it was £40. I myself was one of those who went in for the low rent.

253. CHAIRMAN (to witness).—We may take it, I think, now as a fact that with respect to house property there never is any public competition invited. The occupying tenant is offered the premises at whatever sum is fixed by the Corporation as being a fair rent?—Yes; that is the way that the house property is let.

254. Some two or three members of the Corporation put a value on the property and let it to the occupying tenant or to some other individual, without putting it up to public competition?—Yes.

255. You say that the practice is different with respect to farms—that since the year 1850 the farms let were all put up to public competition?—Yes; I do not know of any farms being let since then without being put up to competition.

256. Have many farms fallen in within the last twenty years?—Some of the farms that we recovered were let to the parties in occupation. In these cases they paid a very high rent; they were also let by auctioneers. I think that some of the Aldermen's Acres were.

257. What do you call Aldermen's Acres?—The properties held by the old Corporation were called Aldermen's Acres. Every member of the old Corporation had a piece of land—either one or one and a half-acre—and the new Corporation took proceedings to recover them, and after some law they surrendered the lands, which were then re-let.

258. When were these lands recovered from the old Aldermen?—I think about the years 1856 or 1858. There is a record of the transaction.

259. When the Corporation recovered them after taking proceedings, were they re-let by public auction?—They were.

260. Mr. LAWLESS.—Were the Aldermen of the old Corporation allowed to continue in possession of the Aldermen's Acres until the year 1856 or 1858?—Yes.

261. Although at that time it was trust property, which the new Corporation should have taken possession of for the benefit of the town?—Yes.

262. CHAIRMAN.—When did the present Corporation first take proceedings to recover possession of these Aldermen's Acres?—I think it was about the year 1854; it was a long time in litigation because

the old aldermen thought they had a right to keep possession of it.

253. They took proceedings then a good while before they could obtain possession?—Yes.

254. You do not receive any moneys except the rate and the receipts from the public cranes?—Those are all I receive. I record the fees also and keep an account of them.

255. From the public cranes for last year you received £150. I suppose that is the highest amount they have been let for?—That, I think, is the highest.

256. They were let at that rate for the year 1875 and last year?—Yes.

257. And were they let for the same this year?—Yes.

258. Are they all let to one person?—Yes.

259. Does he pay the rent yearly?—He pays it quarterly.

260. I see that you received £225 6s. 11d. from the bridge committee last year. What was that for?—It is an item that will not appear in the accounts again. They had this money in hand after the bridge was erected.

261. Who were the bridge committee?—Members of the Grand Jury.

262. Mr. LAWLESS.—The Grand Jury of the county of the town?—Yes.

263. Mr. CHADWICK.—The Grand Jury of the county of the town of Drogheda presented £5,000 for the construction of the bridge, and there was a bridge committee formed to carry out the work.

264. CHAIRMAN.—And I believe the Corporation borrowed another £5,000?—The Corporation gave £3,000 for the same purpose, and the Boyne Commissioners £2,000.

265. Alderman DALEY.—That is not the case. It was £5,000 from the Corporation, and £5,000 more from the other two bodies.

266. CHAIRMAN.—We had it from the town clerk that the Corporation borrowed £5,000.

267. WITNESS.—Yes; and this £225 6s. 11d. was a balance that remained in the hands of the bridge committee after the bridge was erected, and they were threatened with a lawsuit concerning a contractor who broke down. For that reason the bridge committee thought it would not be prudent to deal with the balance till such time as the lawsuit was settled.

268. The bridge committee, I understand, was formed partly of the Grand Jury of the county of the town of Drogheda, partly of the Corporation, and partly of the Boyne Commissioners?—Yes; those are the three bodies who contributed to the erection of the bridge.

269. They contributed, as I now understand, in the following proportions—the Corporation, £5,000; the Grand Jury of the county of the town, £5,000; and the Boyne Commissioners, £5,000?—Yes.

270. After the bridge was built and all the contractors paid, and after this pending lawsuit to which you referred was also settled, there remained this balance of £225 6s. 11d. in the hands of the bridge committee, which was then handed over to the Corporation on the understanding that they were to keep this bridge in repair for ever. Is that so?—No; there were two bridges, and that money was to be applied to keeping St. Dominic's-bridge, which is a wooden structure, in repair. £200 would go a very short way towards keeping the other bridge in repair.

271. After the bridge was constructed the bridge committee was dissolved, I suppose?—Yes; a reason why that balance should be so applied was because they had already spent very nearly that amount in repairing the wooden-bridge.

272. Mr. LAWLESS.—Did the Boyne Commissioners and the Grand Jury of the county of the town assent to this money being given over to the Corporation?—This was the balance raised from the county rate and it was, therefore, the Grand Jury only that was consulted in the matter.

273. CHAIRMAN.—Are all these payments which I

see on the expenditure side of your account made by you? Do the moneys pass through your hands?—Yes, they pass through my hands. The finance committee meet every Friday, and fill up cheques for the different payments required to be made. The cheques are signed by the Mayor, two members of the Council, the town clerk, and by me as treasurer, and I then draw the money from the Hillier's Bank, and make the payments.

274. You get a cheque from the finance committee to enable you to make the payments for the current week?—Yes.

275. And you countersigns the cheque in the first instance and then cash it?—Yes.

276. And make the payments—so that necessarily you know all about the different items?—Yes.

277. I see a charge of "Rents paid" there are, I presume, head rents payable on some of this property?—Yes; we pay something about £400 a year for rents.

278. It was £332 14s. 8½d. last year I see, and you paid exactly about £250 in the last two years?—Yes.

279. Are those ground rents?—Yes; we pay £60 a year for one place where there is an open cattle-market held, and we pay £25 a year for another place.

280. Are these payments then made principally for fair or market grounds?—Well, you may say they are market grounds; but the places for which the rent is paid, on which the markets are held, are portions of streets in the town.

281. Mr. LAWLESS.—Is any of this rent paid for any portion of the property formerly in the possession of the old Corporation?—It has descended from the old Corporation.

282. You mean that property for which you pay the rents?—Yes. We pay that amount in the account for the accommodation of the public. We pay £25 a year for the corn-market.

283. CHAIRMAN.—I see there are certain payments entered as "pensions" £42 to the Blue school, £21 to the male and female schools, and £10 to F. Evans.

284. Are the two first subscriptions to the Blue school and to the male and female schools?—They were grants given by the old Corporation—forty guineas to the Blue school, and twenty to the male and female Protestant schools. There were formerly a good many pensioners, but F. Evans is the only one remaining now.

285. Those three sums make £73 altogether. They are all grants originally given by the old Corporation, and you say that formerly the number of pensioners was considerably larger?—Yes.

286. Are these the only grants now remaining?—There is another grant of £20 Irish to the "Dona Cox" fund; the original object of which was to pay apprentice fees for Protestant boys.

287. Do you pay that still?—Yes; it will appear in our next audit sheet; it is not in the present one. We hesitated to pay the grant, and a Bill in Chancery was filed against us.

288. Were these grants all charged on the rents by the old Corporation?—Yes; the Corporation took legal opinion as to their liability to pay these grants, and they were advised that they were liable.

289. When was that opinion taken?—As well as my memory serves me, it was sometime between 1843 and 1845.

290. They were advised you say that they were liable to pay the grants?—Yes.

291. Vicar's church, £43 1s. 3d.; what is that?—That is paid to the Vicar of St. Peter's.

292. Is it an old grant of the same description?—Yes.

293. Is it charged on the Corporation property?—Yes; that is the foundation of the property that was granted by James I.

294. Do you mean that it was granted under the old charter?—Yes; it was for the payment of this that the Corporation got the property.

295. I found a similar grant at New the other day.

DROGHEDA.
March 21, 1875.
Mr. J. Moore.

DEPARTMENT. We have now gone through all the old charges on the Corporation property?—Yes.

MR. J. MERR. 304. All the other payments appear to be for lighting, paving, watering, and so forth?—Yes.

307. What do you pay for the gas?—Close on £400 a year.

308. Only a little over £200 is down for last year?—Yes; but there might be something outstanding. We have 155 public lamps, which are lit at £2 9s. per lamp. We also supply lamps to the court-house and watch-house, but the supply to them is regulated by meter. I think the cost of lighting averages close on £400 a year.

309. Then last year you could not have paid the full amount due?—No.

310. For the previous year you paid £388 1s. 6d., and last year £337 11s. 1d. Is the amount for this year so small, because part of the account for the year was not paid?—Yes; the whole of it did not come into that audited account.

311. The fact is, it came into the year's account but you did not pay it. Was the reason it was not paid, because you did not wish to overdraw your account at the bank?—Yes.

312. Are you in funds at the bank now?—Yes; I think we have about £500 to our credit at the bank.

313. Have you paid the arrears of your gas account for the last year?—No; it will take all the money we have now to pay it.

314. The Corporation are of course supposed to keep all the streets of the town clean?—Yes.

315. To do all the cleaning, watering, paving, &c.?—Yes; they do all that, and also do the manuring.

316. What staff is there employed for scavenging?—The scavenging is done by contract.

317. Is it let by contract for a year?—Yes.

318. What is the amount of your present contract?—£297.

319. Was that a contract made in October, 1875?—Yes.

320. Have you contracted for many years?—For one year.

321. Have you been in the habit I mean of having that work done by contract for a number of years?—Yes; for the last seven years.

322. Have you found it could be done more cheaply by letting it to a contractor than by your own staff?—Yes.

323. And more satisfactorily?—Yes.

324. Are there any complaints made about the manner in which the streets are kept?—No; if the engineer finds anything neglected or done badly he reports it, and the contractor is fined. When the reformed Corporation came into existence they gave up £800 a year of tolls payable to the town of Drogheda, and also £500 or £400 for the watch which was then taxed for, but which is now paid out of the funds. The tolls were charged at the gates on the produce and cattle coming into the town, and they used to amount to between £550 and £800 a year. The reformed Corporation gave that up. The practice of taking tolls at the gates very often caused dissatisfaction. The cattle and goods of some freemen came in without a charge, and this always caused contention. One man did not like to pay tolls when another passed in free, and the police had sometimes to be called in.

325. When were those tolls surrendered?—After the first meeting of the reformed Corporation.

326. Your heaviest item of expenditure for last year seems to have been the one for paving?—Yes.

327. Is there a committee to superintend all these paving works, or is it left to your engineer?—The engineer reports what work it is necessary to do, and the committee consider his report, and recommend what is to be done.

328. There are, I suppose, several committees in the Corporation?—Yes.

329. How many committees are there?—There is the finance committee, the paving committee, the valuation committee, and the health committee.

330. With reference to the watching of the town, will you tell me of what does your watch establishment consist?—It consists of six men; five are paid 12s. a week, and one 14s. a week; the total payments amount to £3 14s. per week.

331. Do you pay them?—Yes, on every Friday.

332. Are their duties confined to watching the town at night?—Yes.

333. Do they give as much satisfaction here as they do at Limerick?—There is not so much complaint about the watchmen here. They are very seldom brought up for bad conduct.

334. Mr. LAWLESS.—The constabulary are not paid by the Corporation?—No.

335. Is there a good understanding between your watchmen and the constabulary? Does a good feeling exist between them?—So far as I know there is.

336. You have never heard any complaints made against the watchmen by the constabulary?—No.

337. CHAIRMAN.—Have you ever heard it said that the watchmen were in league with the publicans?—No.

338. Or that they are watching in the interest of the publicans rather than that of the public?—I should say not.

339. Of course I do not mean to say that the watch men do not do their duty in this town, but we have heard in other places that they very frequently neglected it?—They do not go on duty here till nine o'clock at night.

340. And come off duty at six o'clock in the morning, I suppose?—Yes.

341. Is the man who is paid 14s. a week supposed to be in charge of and to look after the others?—Yes; he is supposed to have an eye over them and see them on their beats.

342. What is their principal duty? Do they patrol the whole town or see they given distinct beats?—They are stationed in different parts of the town. Each man has to go a certain round and see that no plundering goes on, and that there are no fires.

343. Is it their duty to see that no doors of houses are left unlocked?—I do not say that they go so far as to do that. A part of their duty is to report any street lamps found unlit or broken.

344. Do they arrest persons at all?—Yes; they frequently arrest people for drunkenness.

345. Are any charges of drunkenness brought against themselves?—I do not remember any such charges being brought against them except in one case which happened some time ago.

346. Was the man against whom that charge was made retained in the watch or was he dismissed?—I think he resigned and left.

347. To the best of your belief, you say, they work well with the constabulary?—Yes; I think the two bodies pull very well together. So far as I can see they do.

348. The pumps and water supply, I suppose, as well as the paving, are under the superintendence of the engineer?—Yes; there is a man paid a guinea a week for minding the pumps.

349. £58 12s. 6d. is charged under the head of "pumps and water supply"?—Yes; there may be some other little charges included in that sum—leathers for the pumps, and so on.

350. The man to whom a guinea a week is paid is, I suppose, under the orders of the engineer?—Yes.

351. £385 2s. 6d. is charged for sewers. Is the sewerage looked after by the engineer?—Yes.

352. What is the meaning of this clause in the contract for cleaning and watering streets?—"All the streets and lanes and by-ways within the municipal boundary, except those claimed by the Grand Jury?—Several small portions are done by the Grand Jury of the town of Drogheda. It is within the borough boundary that the streets are cleaned and manured by the Corporation. Alderman Daly is here, and will tell you of the great disadvantage that arises from this condition of things.

Alderman DAILY examined.

DEPOSITION.
March 21, 1877.
Alderman
Daily.

353. Alderman Daily.—The boundaries of the county of the town of Drogheda were formerly not coextensive and coterminous with the present municipal boundaries. Now they are exactly the same. You will be astonished when I tell you the county of the town of Drogheda formerly consisted of 5,768 statute acres, and that now it is restricted to 454 acres. There is no reason why this work should not be done entirely by the Corporation. We, at one time, had nearly 6,000 acres, which came in within the county of the town, and an enormous state of things exists at present.

354. Mr. LAWLESS.—Was it within the municipal boundary also?—No, not for municipal purposes. It was liable for all Grand Jury purposes, and the Grand Jury having to do with the making of the roads, these little portions which are outside the gates, and were portions of the old 6,000 acres, are still retained by the Grand Jury of the county of the town, although the county of the town and the municipal borough of Drogheda are the same. I just wish to draw your attention to this most extraordinary state of things. Forty years ago some of the old people belonging to the town could give any explanation of the matter.

355. CHAIRMAN.—Was not an alteration of the boundaries made immediately upon the passing of the Act of 1840?—Yes, we cannot find any person in the town of Drogheda to inform us how this state of affairs came about.

356. The Act of 1840 sets out what are to be the boundaries?—Yes.

357. And you say you cannot understand upon what grounds these boundaries were fixed?—Yes; the works here, which you may have seen as you came from the railway station, is outside of the town boundary. The railway is also outside, and the hackney cabs, the houses for which are granted by the Corporation, when there are beyond the control of the Corporation, and the lamps on the way to the railway station are paid for by the Corporation; yet the railway pays some of the rates. There are many other places outside the town which should be within it for municipal purposes. Here is the boundary of this large and important town restricted to those borough stones, beyond which we are unable to go, and make such improvements as should be made.

358. You complain as a great grievance that the municipal limits were so restricted?—Yes; the boundary was fixed without the sanction of anyone in the town.

359. What is the Parliamentary area? Is it the same as the old municipal area of 5,768 acres?—Yes.

360. Were they coterminous?—Yes.

361. Are you sure of that?—Yes; and the Grand Jury of the county of the town of Drogheda have done everything in their power to draw the attention of the Government to this state of things, and we want now to impress upon you that we are desirous of obtaining a fair and reasonable extension of our municipal boundary, but at the same time we want to do so without having to get an Act of Parliament. We applied with reference to this to the Local Government Board, and got a most extraordinary answer to the effect that if the people outside would agree to it we would be able to get them brought in. What we would ask is, that the Government would send down a proper officer, who might determine what the boundary should be. If the boundary were reasonably extended it would be of the greatest advantage, not only to those inside the boundary now, but also to those who would be taken in, because the rate they would be called upon to pay would probably not be more than they give at present to Leath and Month. We have no borough rate at all. I want to know if it is possible for us to get this extension without going to Parliament for it?

362. Mr. LAWLESS.—I am afraid not, unless you have the consent of all occupiers of the outlying places?—We have the consent of the Grand Jury of the county of the town, but the answer we received from the Local Government Board was, that parties holding

lands and premises in the neighbourhood should give their consent, and although they have some dread that upon some other demand being made a rate will be put on the town, people who have the advantage of the lighting and cleansing, and whose property is increased in value from its proximity to the town should pay the town for it, and not contribute to Leath and Month.

363. CHAIRMAN.—The Grand Jury of the county of the town have only jurisdiction within the present municipal area?—That is all; only over the borough boundary.

364. Was your petition for the transfer of the Grand Jury powers or only for the incorporation of certain districts with the municipal borough of Drogheda?—Our petition was to bring in certain districts, and to extend the limits of the municipal borough to a reasonable distance, as it is in Nerry and Donaball.

365. It makes all the difference if you applied for a transfer of Grand Jury powers from Leath and Month. If you did so, the Local Government Board could not grant it without the consent of the Grand Jurors of both counties; but if, on the other hand, you applied for the incorporation of certain districts, the Chief Secretary might send down an inspector to inquire into the matter, and report what, in his opinion, ought to be done. I want to know what your petition was for?—The answer we got was, that although they did not dispute the fairness of the demand we were making, if the people who lived in the houses close to the town did not agree to it we could not succeed in carrying out our wishes.

366. Have you got a copy of the petition, and the answer to it from the Local Government Board? If you can let us see that correspondence we shall be glad to have it?—The town clerk has them, and can produce them. (Town clerk hands in the petition and the reply.)

367. How many years is it since the petition was made?—About two years ago.

368. Did you, in your petition, set out what you considered the limits of the boundary should be?—No; we did not. We asked for the old boundary, or such other boundary as an inspector sent down to inquire into the matter, might fix upon.

369. You have been a member of the Corporation for a long time, I believe?—For about twenty-five or thirty years.

370. Have you considered what would be a fair boundary—fair alike to the people inside and outside the present municipal limits—or whether the old boundaries, in case of an extension, should be adhered to or amended?—Certainly, they should be amended.

371. You would not have the limits extended so far as the old boundary?—No, not in some directions.

372. To what distance from the centre of the town would you wish it to extend in each direction? You have been for twenty-five years a member of the Corporation, and came here for the purpose of stating what you consider to be a grievance, so I want to know if you have made up your mind as to what would be a fair boundary?—I think the municipal area should extend about two miles all around the town.

373. You would strike a radius of two miles from the centre of the town?—Yes.

374. Do you think that if the boundary extended two miles in every direction from the centre of the town, that the inhabitants brought in would derive so much advantage from the lighting and water and other conveniences provided for them by the Corporation, as would compensate them for the payment of any rate they might have to contribute to the town?—Yes. People within that distance should contribute to the rates. It is a great matter to be situated so close to the town. I myself hold about eighty Irish acres within a radius of two miles from the centre of the town, and for my purposes, for instance, for drawing manure to the land, it is extremely convenient, and one is enabled to bring a great many loads each day.

DELEGATE.
March 21, 1877.
Aldermen
Only

375. I suppose a great deal of that eighty acres which you told would be now exempt from a town rate?—Yes.

376. Would you be willing to pay a rate on that part of your property rather than allow the boundary to remain as it is now?—Certainly.

377. And do you believe your neighbours would be willing to do so likewise?—I do; they would if they really knew the facts with regard to this question. The Corporation property is so large at present, and is increasing so much, that they would never be called on to pay more than they are paying at present to Louth and Meath.

378. You think the increase in the rental of the property would be sufficient to meet the increased expenditure if the boundary was extended?—Yes, I do.

379. Mr. LAWLESS.—In your petition you ask for the restoration of your ancient boundary, or such other boundary as the Board might think proper; and the answer to the petition, dated 5th April, 1873, says, referring to your communication—"I have to state, that the prayer to the Board does not appear to be sufficiently specific to enable them to act upon it." Was anything done after the receipt of that reply?—You will observe that it says we must get the consent of the people themselves.

380. CHAIRMAN.—But you say there would be no difficulty in getting that consent?—I say that when we speak to them on the subject they agree to it; but

it is quite another thing when they talk over the matter amongst themselves.

381. At all events you did not make any more specific application after the date of that reply to your petition?—No. The Grand Jury hold that the Local Government Board ought to do what is fair, irrespective of what the people may like or dislike.

382. But the Local Government Board must act in accordance with the provisions of the Act of Parliament?—Some think that the Local Government Board are a sort of Parliament in matters of this sort.

383. Do you think that by this extension of the boundary you would be able to (I do not say you have not a very good class of men at present) get a better class of men—large owners of property, who would be interested in the proper administration of affairs in the town—as members of the Corporation?—Certainly; you would have a larger area to take them from.

384. And you think there are some such persons now excluded by reason of the narrow limits of the municipal borough?—Yes; we have a very good class of men in the Corporation at present, but we might then be able to get better representatives of the different classes of society—landlords, and so on.

385. A good many of the members of the Corporation, I suppose, live outside the borough and are members of the Corporation by reason of their holding property in the town?—Decidedly; Mr. Chadwick is one of those.

386. Is that one of your reasons for wishing to extend the borough boundary?—Yes.

Mr. J. Moore

Mr. MOORE, treasurer, recalled.

(Rental for September, 1876, is handed in.)

387. CHAIRMAN.—I see that the arrears of rent due at the beginning of the year were £890 10s. 8d., and that you left off with £353 5s. 3d. How did you come to allow the arrears to increase so much. There is one large arrear of rent which we already referred to as running for a long time; but leaving that out of the question, there is still a very large arrear due. It looks as if there was very great negligence in the collection?—The collection is very good now. There used to be arrears of £1,300 or £1,400 for the half year.

388. The arrears, however, are very large, and a year and a half ago Mr. Collett called attention to it—he also called attention to it in his last audit. He says, "It appears from the above that the arrears of rent have increased from £890 10s. 8d. to £353 5s. 3d., showing the necessity for more exertion in the collection of the rental. This is the more necessary as it may be seen that on the expenditure side of the abstract there is a charge of £13 18s. by the bank as interest on overdraft account." A year and a half ago Mr. Collett drew attention to the very large arrears brought forward, and recommended the committee of the Corporation to investigate them with the view to have the irrecoverable arrears cut off?—Yes.

389. He congratulated you on having made a very good collection for that year, but it seems you have fallen off again. Can you tell me why, at the time this committee met to clear off the irrecoverable arrears, they did not deal with this item which I see in the book of £300?—They left that item untouched because the person by whom it was due was dead, and his representatives were in the Court of Chancery.

390. They left it alone in the hope of getting it from his representatives?—Yes.

391. Did they make any effort to get it?—Yes; but the receiver, Mr. Dillon, has lodged a defence, and denies the right of the Corporation to recover the arrears.

392. What steps have been taken by the Corporation in the matter?—They were advised by their solicitor at the last meeting to abandon the proceedings.

393. What proceedings were taken?—They brought an ejectment.

394. Mr. LAWLESS.—Did they ever bring an action to recover the arrears—not an ejectment?—No, not to recover the arrears.

395. I think the arrears due would establish the right of the Corporation to the property.

Then Clerk.—An ejectment was brought by the Corporation for the recovery of the premises, and a defence was entered disputing their title. The lease expired in the year 1836, and so great was the difficulty in establishing the Corporation's case that their solicitor advised them to abandon the proceedings.

396. CHAIRMAN.—Will that item now be treated as an irrecoverable arrear?—Yes.

397. Have you not, irrespective of that £200, still an arrear of over £700. That seems to be a very large arrear on a rental of £3,300. I want you to give me any explanation you have to offer with regard to it?—All I can say is, that I collect the rents as fast as I can. In fact, so strongly do I push the collection that the tenants complain of my being too hard on them.

398. Are the arrears principally on house property in the town?—Houses and lands.

399. I see here £100 odd due by the representative of Henry Oakley?—Yes.

400. Mr. LAWLESS.—Is that arrear on premises in the town or on lands?—On both houses in the town and lands—they are small tenements.

401. The half year's rent due in March last year was not paid in August, 1875?—No.

402. Has it been paid since?—Yes; it was paid about a week afterwards.

403. Is it a fact that the rent due on September, 1876, is now due by him?—No; he paid it about a fortnight ago.

404. And there is no rent now due by him?—No; he paid it about a fortnight ago.

405. Is there arrear now due by him?—No; I had to go to Dublin to get it from him, but I did get it from him.

406. CHAIRMAN.—I see a William Campbell owes five years' arrears. Is that Alderman Campbell?—No, it is another Campbell. We had to bring an ejectment in that case. The arrears have been paid since. One of the tenants in possession of the place released it.

407. There appears to be a year and a half's rent due by John Collins, and the year before there was five years due by him?—Yes; that man went away to England, and the arrear was considerably reduced since by the person who went into possession.

408. That money has been paid since?—The greater portion of it has been paid.

409. The rent of Henry Clinton's holding is £512s. 6d. for the half year, that is £11 5s. a year, and he now owes an arrear of £33 17s. 6d. 1—Yes; that £33 17s. 6d. is an arrear that has been going on for, I suppose, the last twelve or thirteen years. The property consisted of houses, and it was sold in the Bankrupt Court. It was bought by Henry Clinton, and the arrear was due by the former tenant. The matter was put into the hands of our solicitor, but he never recovered the money from the Bankrupt Court. It was afterwards located over to another attorney.

410. Why was that arrear not wiped off by the commission when they undertook to wipe off all the irrecoverable arrears?—This particular case was left over to see if the attorney could not recover the money from the Bankrupt Court.

411. I see another sum of £23 due here?—That has been paid since.

412. The great bulk of the arrears consists of single

half-year's rent, with the exception of those we have already noticed?—Yes, they are.

413. £5,000 was borrowed for the bridge, and were not £1,200 and £2,000 borrowed to pay off old debts?—Yes.

414. I want to know was the content of the Loans of the Treasury obtained for the loan of that £1,200 and £2,000 which is said to have been borrowed for the purpose of paying off old debts. The town clerk says that you had the custody of the books. He said you had copies of the loans?—I have not got the custody of them.

415. Do you know anything about the matter?—No.

416. I cannot understand the content of the Loans of the Treasury having been obtained for those loans to pay off old debts. This £500 was a loan from the county infirmary to the Corporation, and the money is still owing; but we understand it is transferred to a Mr. Kearns, who gets the interest on the money instead of it being paid to the infirmary, from whom the money was borrowed.

Mr. GEORGE KNAGGS, Mayor, examined.

Mr. George Knaggs.

Mr. Knaggs.—I think that the Corporation received that money from and paid the interest to the county infirmary, and the question is whether the governors of the infirmary had a right to dispose of those moneys as Mr. Kearns.

417. Mr. LAWLESS.—The county infirmary had this demand against the Corporation, who paid the interest on the money to the infirmary. The county infirmary became dissolved, and sold their interest in the loans to Mr. Kearns, who thereby became entitled to receive the interest from the Corporation of Drogheda until such time as the principal is paid off?—Yes; but the question is whether the governors had a right to sell it.

418. CHAIRMAN (to witness).—Has the Corporation of Drogheda anything to do with the Harbour Commissioners?—No.

419. The Harbour Board is a distinct body altogether?—Yes, except that I, by virtue of my office as Mayor of Drogheda, am ex-officio Chairman of the Harbour Board. As a matter of fact, it is principally the gentlemen who are members of the Corporation that compose the Harbour Board, but they, of course, are separately elected to each body.

420. Mr. LAWLESS.—Do the Corporation derive any fees or dues from the port or harbour?—No, they do not.

421. CHAIRMAN.—You say that although the Corporation, as a body, have nothing to do with the Harbour Board, the same persons are generally members of the Corporation and the Harbour Board?—Yes; they must be elected for one body the same as for the other. Several members of the Corporation are members of the Harbour Board.

422. Are you the only ex-officio member of the Harbour Board?—Yes.

423. We found in some places that the Harbour Board was constituted by a certain number of members of the Corporation and a certain number of members of other bodies?—That is not the case here.

424. The members of the Harbour Board are elected by the burgesses, and it is merely a chance whether they are members of the Corporation or not?—Yes, but as a matter of fact they generally are.

425. Mr. LAWLESS.—What body is that which is called the Boyne Navigation Company?—My impression is that it is the canal company.

426. How long are you a member of the Corporation?—Over twenty-five years.

427. About as long as Alderman Daly?—Yes.

428. Did you hear his views about the extension of the borough boundary?—Yes.

429. Are your views just the same?—Yes; except with regard to the area of the limits. I would rather have a larger boundary than that mentioned by Alderman Daly.

430. To what distance from the centre of the town would you wish it to extend?—I should say about two and a half miles.

431. Were the Corporation unanimous in that petition to the Local Government Board?—They were, and every Grand Jury for the last ten or twelve years have

been the same, and forwarded memorials on the subject. I am decidedly of opinion that it would be an advantage to the outsiders to be brought in.

432. Are you a land owner?—I have property both within and outside the borough boundary.

433. Have you property outside the present boundary, and within the two and a half miles to which you wish it extended?—Yes.

434. And would you be willing to pay a rate on that property if one was struck rather than have the boundary remain as it is?—I would, even if I had twenty times as much property as I have at the present time, because I think it would be a great improvement.

435. It is said that the railway station, which is outside the present boundary gets the advantage of your lamps?—

Mr. HARVEY.—The road from here to the railway is very badly lighted.

436. CHAIRMAN (to Witness).—As a matter of fact is the road to the railway properly lighted?—It is not.

437. It is said also that there is a lamp in a very important position, which is not lit at night. Would you be glad to have the power to light the lamps further than you do now?—Yes; I appealed to the Poor Law Guardians to see if they could not put up a lamp at that part of the road for the accommodation of the persons going to and from the workhouse. I think they ought to do so, because we have lamps outside the boundary which we are not bound to light in March, and any ratepayer could object to our doing so.

438. Do you wish to have power to light them further?—Yes.

439. But it is not quite clear that the Corporation are bound to light that lamp referred to?—Yes.

440. You have been twenty-five years a member of the Corporation. Are you satisfied with the way in which the rents of the Corporation property are collected?—Yes; I am, because I think that if the September rents are collected before the March rents are due it is a very fair collection. The treasurer should be allowed to prosecute anyone owing a whole year's rent. If one half-year is paid up before entering on another I think it would be very fair.

441. But I saw some cases in which there were three, four, and five half-year's rent due?—Those were cases in which our right to the rents was disputed.

442. Not always. There is no doubt that between 1875 and 1879 the arrears increased about £150 l.—It has been decided by the Council that dates will be fixed for the payment of the rents.

443. Mr. HARVEY (to Mr. Knaggs).—Is it not a fact that the treasurer opens his office every day for receiving the rent?—Yes.

444. Have not then the tenants greater facilities for making the payments than if it were only taken on certain fixed days?—No. I think that it would be a great advantage to have a fixed rent day.

445. CHAIRMAN (to Witness).—Do you contemplate having a fixed rent day in future?—Yes.

DECEMBER.
March 21, 1877.
Mr. George
Kearney.

444. CHAIRMAN (to Mr. Moore).—There is one item which I do not understand. There is no much charged for income tax and poor rates allowed to tenants by the treasurer. What is that?—That is the amount of income tax and poor rates which I take credit for as allowed to me on the rents I paid.

Mr. John G.
F. Gorman.

Mr. JOHN G. F. GORMAN examined.

449. CHAIRMAN.—Are you the engineer of the town of Drogheda?—Yes.

450. What are your duties?—As engineer of the Corporation I have to look after the carrying out of all works such as sewerage, and maintaining the streets of the town.

451. Are the sewerage works and the paving done under your direction, and have you the care of the pumps and the water supply?—Yes.

452. For those duties do you now receive a salary of £100 a year?—Yes.

453. I see that Mr. Collet at the last audit disallowed a sum of £39 which was charged to your salary. How was it that he only allowed you £100, although you were previously paid £139?—The reason for his doing so, as far as I am aware, was this: The Corporation advertised for an engineer at a salary of £130 a year, £39 of which was to be paid to the retired officer. Since I was appointed in the year 1871 I only received £100 a year.

454. It was an indirect way which the Corporation adopted for superannuating an old officer, and the auditor very properly disallowed the charge of £39?—Yes; only £100 was handed to me.

455. I understand that the cleansing and watering of the town are let to a person by contract?—Yes.

456. And subject to your approval and certificate?—Yes.

457. Is it done to your satisfaction?—Well, generally, it is. I have to give a certificate every week saying that the work is properly done, or mentioning places which are not done.

458. And is the contractor liable to a penalty if he does not carry out your instructions?—Yes.

459. Have you got the contract?—No, the town clerk has it.

460. Mr. LAWLESS.—What is the name of the contractor?—Edward Mounaghan, junior. (Contract is handed in.)

461. Were you the person who prepared this specification?—Yes.

462. It was made in July, 1875?—Yes.

463. And was renewed in 1876?—Yes.

464. Is the same system of working continued still?—Yes.

465. Does Mr. Mounaghan do the work specified in this document?—Yes.

466. Does he do it under your supervision?—Yes.

467. Is he paid by weekly payments?—Yes.

468. CHAIRMAN.—What becomes of the manure which is taken off the streets of the town by the scavengers?—It belongs to the contractor.

469. Mr. LAWLESS.—That is not mentioned in the specification?—No; he is merely to cleanse the streets and to remove the manure.

470. Does that specification embrace all the smaller lanes in the town as well as the larger streets?—All the streets and lanes, except those presentable for by the Grand Jury.

471. CHAIRMAN.—Are those the main streets coming into the town, but outside the walls?—All streets within the gates of the town are maintained by the Corporation, and those outside the old walls of the town are maintained by the Grand Jury.

472. Mr. LAWLESS.—Can you state whether the same care is bestowed by the contractor on the back lanes as on the main streets?—Oh, not at all; because he might have to sweep the main streets twice for once that he would have to go to the others. I must give the certificate; and when I see that he has not complied with the directions given him, I certify that, and they take off five shillings for each case.

447. Is it on the ground rent?—Yes.

448. Mr. LAWLESS.—Do you charge yourself with the full rent paid by you for the Corporation?—Yes; and then I credit myself with the amount deducted for poor rates and income tax.

473. CHAIRMAN.—We understood from one of the witnesses that the Corporation were required to make certain sewers in the year 1873. Have those sewers been since completed?—They have.

474. All of them except one street?—The only orders made compulsory were for two streets—King-street and James-street. Those two were completed within the prescribed time.

475. Can you say whether the main streets of the town are now properly sewered?—They have not main sewers; they are constructed in the older style. Those constructed for since 1873 are different altogether.

476. Have those sewers since 1873 been constructed with a proper outfall, and are they properly ventilated?—Yes. The Local Government Board ordered the Corporation to proceed to make two sewers within a certain time, and they have complied with those requests. They recommended the Corporation should go on with the others also, but they do not limit them to time.

477. Are the other old sewers generally constructed of brick?—No, they are stone drains quite square—very old ones indeed.

478. And very imperfect and unfit for their purpose I suppose?—Well, they are more or less unfit for their purpose at the present time; what they were built water-closets were not in existence at all, and they were only made to carry away certain matters.

479. Are there connecting drains from most of the houses where you made new main sewers?—I don't believe there are.

480. Is it the case that the parties are unwilling to make them without further proceedings?—When the Corporation have made arrangements, they won't avail themselves of them; they have to be served with notice, and in many cases they wait until the time expires.

481. In these old drains are there any junctions?—There are, but some of the drains are not deep enough to take the drainings.

482. Have you a good water supply in Drogheda?—Very good. It is by private purveying. The Corporation supply the pumps and fountains alone.

483. Pumps and water supply cost £38 12s. 6d. We were told that that sum arose principally from a salary of £1 per week to a man for looking after the pumps?—Oh, no; that money principally goes for repairs of the pumps and fountains; the £1 a week is included in the pay sheet.

484. All the Corporation supply are certain public pumps?—Yes.

485. How many?—Seventeen. The handsome one opposite here (the Whitworth Memorial) is supplied for the waterworks; that was a presentation to Mr. Whitworth, and the waterworks company gave a supply of water, but we have seventeen pumps or fountains without the Whitworth fountain.

486. Where do you get your supply for watering the streets?—From the river; we have a pump from the river.

487. And are the sewers flushed?—They are not flushed at all.

488. Mr. Harvey.—The sewage water from the public sewer flowed into my cellar. Finding no remedy I applied to the Local Government Board; there is a difference of opinion on the point, but my impression is that a sealed order came from the Local Government Board to have the sewers completed by the 1st of January, 1876.

489. Mr. LAWLESS.—(Reads report of Local Government Board of February, 1874.) Was there a sealed

DEPOSITION.
March 29, 1877.
Mr. John G.
F. Green.

order of the Local Government Board sent down here after that I—I believe there was.

400. *Passer Clerk*.—There was no sealed order.

401. *Mr. O'Brien*.—I believe there was.

402. *Mr. LAWLESS*.—What was done in compliance with that order of the Local Government Board?—There was a sewer made in George's-street, and a sewer made in James'-street, at a cost of £438 2s. 6d.

403. *CHAIRMAN*.—I find by this document that King's-street, James'-street, and the North-road, are the places most calling for immediate notice. Were the works done?—They were.

404. Within the limit of time?—Well, whether they were done within the limit of time would be an irrelevant thing to say.

405. Have any been made since that?—No.

406. *Mr. LAWLESS*.—Because if goes on to say "When these most necessary works have been fully executed, then, and not until then, the other ones shall be taken up and be considered."

407. *The Mayor*.—So soon as the Corporation shall have funds at their disposal.

408. *Witness*.—I may tell you that the Corporation asked me to make out the specifications and plans for the sewers.

409. *Mr. Harvey*.—Perhaps it would be well that the Commissioners should know that Mr. O'Brien ordered a sewer to be made in Ship-street, to go below the level of the bed of the river—so much for the value of the Local Government Board's offer.

410. *CHAIRMAN* (to *Mr. Harvey*).—There is no question in your judgment I suppose, that a great deal remains to be done?—Oh, yes; a great deal remains to be done.

411. Is it not a question of funds?—That is so.

412. And it is quite clear it can't be done out of your present income. Under the Act of 1874, you ought a sewerage loan, and make a sewerage rate, and charge it on that.

413. *Mr. LAWLESS*.—Are there any parts of the town unprovided with main sewers?—There are.

414. Are those parts where the poorer inhabitants live?—Yes.

415. It would not be a difficult town to sewer, I believe?—No, quite the reverse.

416. Have you been requested by the Corporation to prepare any general drainage plan?—I have.

417. And have you done so?—I have.

418. And an estimate of the costs?—Yes.

419. And has that matter been under consideration lately?—It has.

420. Since Mr. O'Brien made his report, have you had any instructions on the subject?—Not that I know of.

421. When Mr. O'Brien was here did you show him the plans you had prepared?—No, I did not. Several important works were laid over until Mr. Greene was appointed, and Mr. Greene did everything he possibly could since then; but his hands are tied—that's my impression.

422. *Mr. LAWLESS*.—Are there cellars in this town used for people to live in?—No; they are all closed up—there is one cellar to be built up in Peter-street, and there is another in James'-street.

423. Are there any cellars used as kitchens?—Yes; and the basement floors of houses in certain streets are below the level of the bottom of the sewers.

424. *CHAIRMAN*.—Is that the case, Mr. Green?—It is.

425. And what is the nature of the soil?—It is all gravel in the lower portion.

426. It can then be easily percolated?—Yes.

427. What is your estimated cost for making proper sewers in the streets that now require it?—An expenditure of £1,500 or £2,000. It was the intention, I believe, at one time of the Corporation to get a loan of the money.

428. Are there any slaughter-houses in the town?—Yes, there are.

429. Are there any public lodging-houses?—There are.

430. Under whose inspection are they?—There is a person appointed called the "register of lodging-houses." The appointment is under the late Sanitary Act. The slaughter-houses are looked after by the sanitary officer of the district.

431. Are these slaughter-houses properly inspected—are they properly cleaned, or are they so kept as to be a nuisance?—From all I know of them I would like them to be a great deal better than they are. The buildings are old.

432. Are they kept properly cleaned and finished?—They are.

433. Where do they get their water from?—They generally get it from the private waterworks.

434. *Mr. Harvey*.—They are washed out into the streets; and the blood and matter flows into the street and is most disgusting.

435. *Witness*.—That is in Magdalen-street.

436. Is that the street you referred to when you said one street is not properly kept in order?—Yes.

437. Who is the inspector of lodging-houses?—Mr. Levin.

438. He is not down here?—(Deferring to list of officers).—He is down as "sanitary officer."

439. What was the paving that cost £457 last year—what streets did you pave?—Although it appears under the heading of "paving" there has been a very little paving done at all; the money is for cleansing sewers, &c.

440. You told me the payment to the men for taking one of the pumps was included in that?—Yes; that is a portion of it, and whenever a sewer wants to be cleaned we have to employ extra men to do it.

441. Are the men who are employed in all these works paid and overlooked by you, and is the payment signed by you before it is taken to the treasurer?—Yes.

442. Your certificate is given for all the payments for this class of work?—Yes.

443. *Mr. Harvey*.—Would you ask in what account he charges for the opening and re-opening of Ship-street to prevent the flow of filth from the sewer into Mr. Calahan's and other basements—a flow of filth; not a percolation alone, but a leakage of three or four feet.

444. *CHAIRMAN*.—Is that one of the old drains?—*Witness*.—No.

445. *Mr. Harvey*.—I wish to be perfectly clear if I can. I have seen these openings publicly made in the street to clear these places, from time to time, in the same locality—within the circle of twenty yards or so from where we are standing.

446. *CHAIRMAN*.—That must be a continued source of expense; and, after all, I believe, it is only a makeshift?—*Mr. Harvey*.—It is only a makeshift.

447. *Mr. Harvey* (to *witness*).—How often have you opened that street in three years?—Three times.

448. *CHAIRMAN*.—At the best, the result is very unsatisfactory?—Yes.

449. Do you know whether any action has been taken by the Corporation to enforce the making of sewers, &c.?—The executive sanitary officer has been telling me he intends to summon us at the next sessions.

Dr. KELLY examined.

450. Are you one of the sanitary officers?—I am appointed as sanitary officer to the town and county.

451. Do you make your reports from time to time on your district to the town clerk or the executive sanitary officer?—Yes.

452. And by him they are, I suppose, laid before

the Corporation, and they make their orders upon them?—Yes.

453. Do you ever meet and confer with the Corporation upon them?—Oh, I constantly meet them.

454. Because generally I find the doctor never attends the meetings of the sanitary committee?—

DROGHEDA.
March 21, 1872.
Dr. Kelly.

Witness.—When the Act came out that I didn't know if they were very friendly disposed towards us; but latterly they are very much so.

545. CHAIRMAN.—I am very glad to hear that.

546. Witness.—For the last six months they have been most active and energetic; but I can't say much further than that.

547. What report can you make of the sanitary state of your district generally?—I think it has been improved; but, still I have recommended several sewers, and the Corporation deferred the work till the dry weather came in many instances. Magdalen-street is the street dividing the east and west districts. There ought to be a main sewer, so as to compel those people having slaughter-houses to send the leakage stuff into it. They have no main sewer at present. The committee also recommended a sewer for Green-lane, and it is about to be done. While you mention the slaughter-houses, I am certainly very much of opinion there ought to be a single slaughter-house for the whole town; it is impossible for any sanitary officer to be always inspecting these places. I certainly find them at times in a very bad state.

548. Are they registered?—They are registered.

549. And whose business is it to inspect them?—The sub-sanitary officer of the district, but there is no special arrangement about them. I have constantly gone down myself about them.

550. Are the lodging-houses kept in a satisfactory state—are any by-laws passed for their regulation?—There are no by-laws laid down at the present time specially in reference to lodging-houses. Some time ago there was a move made in that direction. The police informed me that if there were by-laws passed they would have the power of inspecting them. The great difficulty is the low class of people who get in there; they are two or three in a bed, especially on the fair nights. Of course if you have twice the proper number of persons sleeping in each room it leads to disease.

551. Mr. LAWLESS.—And have you asked the Corporation to pass by-laws?—Yes.

552. Mr. Callan.—We have by-laws passed in 1863. [Copy of by-laws produced.] Every lodging-house in the town has a copy of these posted up since last September.

553. Witness.—I called attention to the necessity of having special by-laws.

554. CHAIRMAN (to Mr. Callan).—Do you say these were only issued last September?—Only since last September, and they have been laid up in lavender for twelve or thirteen years. We have now on our notes that these by-laws issued in 1863 were never circulated until 1870.

555. Mr. Curtis (a Town Councillor).—They appeared to be almost brown from age.

556. Is there much disease in your district?—**Witness.**—I don't believe Drogheda has been in such a healthy state for the last twenty years as it is now.

557. Is the state of the district such as to favour the spread of epidemic disease in the event of fever or small-pox breaking out?—There is a portion of my district such that I recommended to the Corporation to shut the houses up altogether—a number of houses in Moore's-lane, and a number of other places.

558. Have any steps been taken in Drogheda to provide improved dwellings for the labouring classes?—No.

559. You have had no small-pox here I believe since 1873?—No.

560. Do the people keep their houses tolerably clean?—They do not; in all the small cabins about the town there is always an accumulation of filth, especially where they keep pigs in the house—that is mostly not within the limits of the town.

561. On the whole, for the last six months at all events, have you been satisfied with the action of the Corporation as a sanitary authority?—Yes.

562. But you think they may be stimulated still further with advantage to the town?—Yes.

563. And the principal thing you want is main

sewers, that's clear?—Yes. If you put a force of water into sewers of the present class you would actually depose the people of their water.

564. And you would probably flood all the cellars?—Yes.

565. Mr. LAWLESS.—When you make a report to the Corporation on any subject do you find that your report is properly and promptly attended to?—Certainly, within the last six months.

566. Has it frequently occurred that you have had occasion to report the same nuisance more than once?—It has; more than once. My impression was that when the Act required them to appoint a sanitary officer the Corporation thought they had already a sanitary officer quite capable of doing his duties. We are willing to assist, but I do not consider it is the position of the dispensary medical officer to be inspector of nuisances or sanitary officer. I think the Act would work much better if the officer had no other duties to perform, and he could call in a medical officer if necessary. We, having to live by the public, don't want to fight with our patients; and if we were to carry out the sanitary Act strictly as in our duty I certainly think we would lose more than we would gain.

567. Are you acquainted with the state of the habitation of the poorer classes of the town?—I have been for the last twenty years.

568. How are they off for privies?—In the majority of cabins they have none.

569. CHAIRMAN.—Are there any public water-closets?—There are one or two in the town; there is one public water-closet and several urinals.

570. I suppose there are many places where there is no means of getting up privies?—Well, if you put up the ordinary class of privy and it is not cleaned, it is more a nuisance than if there were no privy at all.

571. But in some houses I suppose from your description they have no back yards?—In the very centre of the town here they have no back yards, and when they put water-closets in these they were a great nuisance. In one case while a water-closet in the next house did exist there was leakage from it and in the next house we had some of the worst cases of typhoid fever we have had in the town. A water-closet, if not properly kept is a great inconvenience.

572. Have you had an analysis made of the drinking water?—I have had an analysis of the water from Dr. Curran's lately, and he condemns three of the pumps. Two of the pumps have been closed, and one has been condemned as unfit, and the other scarcely fit.

573. As a matter of fact is one of the pumps condemned still in use?—Yes.

574. Mr. LAWLESS.—Out of how many has he condemned three?—Ten altogether.

575. Mr. Callan.—And there are about a hundred private pumps in the town.

576. CHAIRMAN.—How long ago has that report been made by Dr. Curran?—About three weeks.

577. (Referring to printed copy of analysis).—He says only three are fit for domestic purposes—"One's well, bay market, and Dublin-road." One he says is quite unfit for use; and out of ten public pumps there are only three, he says, fit for domestic purposes. Two are unfit for me, and three are also said to contain a dangerous quantity of mineral matter?

578. Witness.—I would recommend the Corporation to insist on the construction of connecting sewers. Some sewers have been recently constructed in North-road, and I must say they are very well constructed.

579. Where is their outfall?—Into the river. From the natural advantages of Drogheda—it being situated on the slope of two hills—whenever the rain gets into the sewers it washes them down.

580. CHAIRMAN (to the Mayor).—Can you tell us whether the Corporation have considered the desirability of getting drinking water from the waterworks, and also for the purpose of flushing these new sewers?—It has been under the consideration of the Council. There is a party for it, and a party against it.

581. You have not got a majority yet?—Not yet; a good many of the Corporation are shareholders, and are by that means prevented taking a part in the matter. If they all had the same voice in the matter they would be unanimous for it. I believe there would be a majority for giving it into the hands of the waterworks committee; and it is only a question of what the waterworks committee would take if the majority of shareholders of the company should be disposed to give the Corporation a bargain.

582. Witness.—I said I would flush the sewers with pump-water if they liked; and I certainly would flush the people with good healthy water, which is much more likely to keep the people free from disease by giving them proper water to cook their food.

583. The Mayor.—The Corporation at one time thought the sum asked by the company for supplying the public fountains was rather exorbitant. A majority of the Council were then unwilling to give that power to the Waterworks Company.

584. First of all, did the Corporation put up six fountains for the purpose of supplying their district?—They did; and they are up still.

585. And was it the wish of the Corporation at that time that they should be supplied with the

Waterworks Company's water?—Yes; but they thought the sum asked too much.

586. Is that the sole reason they are not so supplied?—Some people said they couldn't bear the water, and that it wasn't fit for use in many cases. Mr. Courtney sent a memorial to the Lords of the Treasury on the subject and prevented them going forward into the matter; but when I stated was substantially the reasons why the arrangement was not carried out.

587. Is Mr. Courtney a member of the Corporation?—He was not at that time.

588. Is the district in which these six pumps have been put up very much in need of water?—Very much. Besides, the principal pump on the North-road is one of those erected by the Corporation. There are lots of people there totally unable to pay for water.

589. Mr. LAWLESS.—Are you aware, whether or not, there has been any difficulty caused in making drains from private houses by the owners of those houses objecting to do the work?—We had two or three cases of prosecutions, but the owners soon consented. When we summoned them they began to make alterations.

590. Is your district a very fair sample of the town?—A very fair sample.

Mr. THOMAS M'KINNA, Poor Law Guardian, examined.

Mr. Thomas M'Kenna.

591. CHAIRMAN.—We have been told that since 1810, only one member of the Corporation here got any of the corporate lands?—There were things connected with the getting of leases not very creditable to the parties mixed up in them. I heard Alderman Carty propose here that litigation should commence in reference to the matter, and that if the Corporation were defeated he would personally defray all expenses.

592. What is the matter you refer to?—The matter is about property down in Sheep-street.

593. Is that property belonging to the Corporation?—It is.

594. Mr. FARRELL.—The property was leased by the Corporation to a Mr. Henry Smith about the year 1835; subsequently to this the Belfast Railway was started, and took a portion of the property with it. The Corporation insisted it should get the original rent reserved in the lease although portion had been sold. Gladwell and Chadwick got an assignment afterwards of the property, but would not pay the original rent in the lease as portion had been sold. At last the Corporation accepted the rent at a reduction.

595. CHAIRMAN.—Were Gladwell, Chadwick, and Chesney connected with the Corporation in any way?—Alderman Chadwick here to-day was, but he is disinterested in the assignment.

596. Witness.—A number of councillors came here one day in full force, and they carried a resolution handing over the property.

597. Mr. FARRELL.—There was a valuation made by parties competent to do it.

598. Do you know of any instance where a man has resigned his lease, and gone in and got a reduction of the ordinary rent?—Well, some of the officers have told me it has been done in the case of Mr. Tighe.

599. Who is the officer who told you so?—A Corporation officer told me.

(Witness was pressed to name the officer he referred to but declined to do so.)

600. Is there any other instance you have heard of?—I have heard of a case where Mr. Francis William Leland owned a great deal of property under the old Corporation. He had property which fell out of lease, and the Corporation took on with a new tenant, Mr. Finagane. I will not say whether he got the property under the value or not, but I know it was not put up to auction.

601. Are there any other instances besides these two that you know of?—Oh, yes; there was a piece of property that belonged to Mr. Burton Tandy in which the tenancy was not let by auction.

602. Is this a case where the tenant came in and got a renewal of his lease at less terms than the

former tenant?—Oh, I do not know that, but I know they departed from the resolution to let by auction.

603. What the treasurer has told us is, that in any case of land falling out of lease—in the very few cases of this kind—it has been put up to auction. In this last case you have named, is the person who got the renewal of the lease connected with the Corporation?—He was with the old Corporation.

604. Mr. LAWLESS (to Mr. Farrell).—Was he a member of the Corporation at the time the new lease was granted?—When his lease terminated, his property was at once taken from him and let to others.

605. Witness.—I have a complaint to make in reference to the gas company. They agreed to charge the Corporation five per cent. on unpaid bills, the Corporation paying in their debt; and they came up here to this Corporation and voted that sum to themselves out of that fund, and they have never paid any money to this Corporation, either for the use of the money or anything else.

606. What about the sanitary arrangements of the town?—A gentleman called me in to see some premises in Laurence-street, and there was so terrible a state of filth there as if a single sanitary law had never been passed, or a sanitary matter never entered into the heads of one of the Corporation here any more than into one of the northern seagulls.

607. Is the place in Dr. Kelly's district?—It is not.

608. Witness.—A fairgreen in the town of Drogheda is the greatest want. I am astonished the Corporation do not lay out a proper fairgreen. We have general cattle-fairs held in the street, and the cattle are there preventing the people from getting in and out—breaking their windows with their horns, smearing their houses in the most disgusting manner; and next morning there is nothing but dirt and filth in the streets. This is the case with the horse-fair, the pig-fair, and the cow-fair.

609. Have any representations been made to the Corporation on the matter?—Yes.

610. And have no steps been taken to remedy it?—No.

611. Who want to keep up the street fairs—is it the publicans?—Well, I don't think it is the publicans; men coming into the fair, or on market-day, drink just as much as if they had a public-house beside them.

612. Witness.—The construction of the water-works cost a great deal of money. They want to a place where there is no supply, and the consequence is that they want a supply of water for nearly two hours every day at the time of the day when it is wanted most. I admit the water was a great benefit, for in

Witnesses.
March 21, 1917.
Mr. Thomas
McKeena,
r.s.o.

about months it is very good for all purposes, but in other months it is bad.

613. CHAIRMAN.—The evidence we have had from Mr. Cameron on the subject is that it is the best water of any town in Ireland.

Mr. George
Knaggs.

616. We understand from the last witness that you are one of the directors of the gas company?—I am.

617. The effect of this witness's evidence is that a large number of the Corporation are directors of the gas company, and that they charge five per cent. on all over-the accounts of the Corporation, and not on any other accounts. Is that true?—It is not true. The contract they made was that if the money was not paid within a certain time, the charge would be five per cent. I must also tell you with regard to the gas company, that I am the only member of the Corporation in any way connected with it.

618. The town clerk told us that the mains were belonging to the Corporation. Is that the case?—It is not. The mains belong to the gas company, but the lamps to the Corporation. The reformed Corporation, when it was elected, handed the mains over to the gas company.

619. How came you to pay £27 11s. 1d. to the gas company for lamps, as well as £200 for lighting?—That is the purchase of lamp-posts I am referring to. Any new lamp-posts are directed to be put up by the Corporation. This was for some additional lamps put up by the Corporation.

620. Witness.—Then I must tell you, in addition to that, there was great altercation between the gas company and the Corporation, when the latter thought well of lighting with oil. The public know the advan-

614. Witness.—The inhabitants sent in a petition to say that in the locality of the pump Dr. Cameron closed up they were free from small-pox or any epidemic.

615. CHAIRMAN.—Well, we don't go into that now,

Mr. GEORGE KNAGGS re-examined.

ago the town derived from that, and the state the town is in now.

621. I suppose it was found not to answer?—The gas was found to be the cheaper in the end.

622. I want to draw your attention to this: we have it in evidence from the treasurer that the reason the £200 stood over was because you will not allow interest on over-due drafts?—There is nothing of the kind in the present contract.

623. CHAIRMAN.—All I wanted to direct your attention to was, that if it were, you were paying as much to the gas company as to the treasurer.

624. Witness.—In addition to that, I may tell you the gas company pay very heavy rates indeed for county cess and poor rates; I have a vote in the waterworks on these accounts; but it is a misfortune, as I said already, to have any local interest in the prosperity of the town. So far as the waterworks are concerned, no matter what sum we may expend on the sewers, unless they are properly finished you will have a perfect nuisance from the scavenging going into them. It was decided to ask the present waterworks company what they would take for the works, and the rates were equal. Mr. Whitworth at that time challenged another gentleman to lay down £9,000 if Mr. Carty would take the challenge and have the water free.

Mr. James
Kilmen.

Mr. J. KILMEN, Town Clerk, re-examined.

625. Mr. LAWLESS.—Will you read in the minute of the 20th May, 1888, passed by the Corporation?

Witness reads:—"T. G. Kirby, pursuant to notice, moved, and Councillor Courtney seconded the motion, that in future all property belonging to the Corporation to be let shall be done so by public auction, taking into consideration and respecting the tenant-right of the tenant in occupation, which motion, having been put from the chair, was declared unanimously carried."

626. Has that resolution been acted upon?—It

has; but in some instances the Corporation took tender, and did not sell by auction.

627. Mr. LAWLESS.—Will you now read the resolution of the 12th February, 1876?—(Reads.) "Resolved—That, except in such cases as the Council shall otherwise order, no property be let by auction, as we consider it more judicious to receive tenders therefor."

628. Was that resolution carried unanimously?—It was.

Mr. James
Carty.

Mr. JAMES CARTY examined.

629. Witness.—I wish to say that the reason for that resolution being rescinded was this: some of the house property fell out of lease, and was about being set. It was put up to public auction. No one competed with the person in occupation, consequently they had it at anything they liked to bid for it. It then came before the Council, and they then refused to ratify that contract. They then came to the conclusion to advertise for tenders, and now people find if they send in a fair and reasonable offer it is accepted in every case.

630. But what I understand is this, that no one liking to oppose the occupying tenant, the occupying tenant got it at a sacrifice?—It was with the view of getting a fair rent that this resolution was passed. A committee of the Corporation was appointed to see whether a fair rent was given or not; and they never took advantage of their position against the tenant.

631. Were these rents fixed by the committee, or did they call in a public valuator?—They were fixed by the committee.

632. Have they any skilled knowledge as being agents or valuers themselves?—They have not; there

was one gentleman among them, Mr. Bottomly, who is a valuator; and Alderman Daly has considerable skill in matters of this kind.

633. What I understand by the resolution of 1875, is this—that they should let by advertisement for tenders?—In those cases I mention, when the property was put up to auction, there not being a fair price, they then set it by private tender.

634. How long have you been a member of the Corporation?—Four years.

635. During that time has the land been let at fair letting terms?—In every instance that I am acquainted with, they have.

636. And below Griffith's valuation?—I don't know Griffith's valuation, but I considered it a fair based rental. There was one case in Faldreestown, where three houses were bringing 18s. for the half-year, and now they are bringing 28s a year; those are the very houses for which no one would compete with the occupiers.

637. There have been old grants?—Yes.

638. Do you believe it to be the object of the Corporation to get the best terms possible?—On every occasion.

Mr. James
Kilmen.

Mr. JAMES KILMEN re-examined.

639. CHAIRMAN.—Mr. McKeena told us, Mr. Kilmen, that you could give us information as to this lease to Mr. Tighe with Mr. Leland?—I don't know anything about Mr. Leland; but Mr. Tighe has been recommended by the Corporation for a lease for thirty-one years at £18, to be lay out £150.

640. Mr. LAWLESS.—What was the property?—A store in John-street.

641. Is Mr. Tighe a member of the Corporation?—He is not.

642. What was that property let at before?—I don't know.

643. CHAIRMAN.—Besides, Mr. Tighe undertakes to lay out £150 a year at least?—Yes.

644. What was that land of Leland's—do you know anything about it?—I do not.

645. Mr. LAWLESS (to Mr. J. F. Fenton).—What was the nature of the property Mr. Leland held—houses or lands?—Lands. The only thing I can say on this

point is that the property was not put up to auction at all.

646. Were the people who got Leland's land after the lease fell in members of the Corporation?—No.

647. Mr. Knapton.—Mr. Flanagan, who got Mr. Leland's land was the father of the present Mr. Flanagan, and neither he nor the son were connected with the Corporation at that time.

DEPOSED.

March 21, 1877.

Mr. James Nelson.

ENNISKILLEN.—MARCH 23, 1877.

(Before Mr. CORRETT (Chairman), and Mr. LAWLESS, Q.C.)

MR. JOHN CLELAND examined.

ENNISKILLEN.

March 21, 1877.

Mr. John Cleland.

1. CHAIRMAN.—Are you town clerk of Enniskillen?—Yes.

2. How long have you been town clerk?—Eight years.

3. How is Enniskillen governed?—Enniskillen was subsequent to the Municipal Corporation Act of 1840, governed by the 9th Geo. IV., cap. 83; and in 1870 a Local Act, the 33 & 34 Vic., cap. 163, was obtained, under which the town is now governed.

4. Are the Town Commissioners of Enniskillen made a body corporate by that Act?—Yes. By that Act the Commissioners under the 9th Geo. IV. are continued and made a Corporation. I have not a copy of the Act. I have only a copy of the Bill.

5. Were you town clerk previous to the passing of that Act?—I was.

6. Were you concerned in the preparation of the Bill?—No.

7. I perceive that in the Act the parliamentary and municipal boundaries are made equal. Is that so?—Yes; the municipal limits and the parliamentary limits were made equal by section 8.

8. Were the powers of the Grand Jury of Fermanagh within the borough transferred to the Commissioners?—Yes. By section 10 and the following sections all the Grand Jury powers were transferred from the county of Fermanagh to the Commissioners.

9. Except that there is a provision making the borough liable to contribute to certain charges of the county at large?—Certainly.

10. How is the amount of these charges ascertained?—The Grand Jury furnishes an account half-yearly to the Commissioners; and that account has to be certified by the borough surveyor.

11. What is the nature of these charges?—Taxes charges to which the borough contributes as for the purpose of maintaining the county jail, the local asylum, and other county at large purposes.

12. Previous to the passing of this Act, did the Commissioners under the 9th Geo. IV., cap. 83, make a rate?—They did not.

13. Did they ever make a rate?—No, they regulated the town entirely by the income derived from their rents. This Act, the Enniskillen Improvement Act, gave power to make an improvement rate and a water rate, both being limited. The improvement rate was limited, by sec. 28, to 2s. 6d. in the pound, and the water rate, by sec. 43, to 1s. 6d.

14. For what purpose was the water rate to be applied?—For the purpose of making waterworks and supplying the town.

15. What is the highest improvement rate you have levied?—2s. 6d. in the pound. That is the rate which has been made ever since the passing of the Act, and it is the rate for the current year.

16. What is the water rate?—The water rate is 1s. 6d. in the pound; it is continuous.

17. What is the nature generally of the corporate property?—It consists principally of houses in the town, and the townland of Kilsaloo, about three miles from the borough.

18. What is the acreage of Kilsaloo?—125½. On 32r.

19. Into how many holdings is it divided?—I think there are four or five small holdings.

20. Have these lands fallen out of lease or come into the hands of the Commissioners since 1840, or

were they leased by the old Corporation?—Well, I have here two leases made in respect of land in the townland of Kilsaloo; one of them is dated 1840, and the other 1840.

21. Was the lease of 1840 made by the old Corporation?—Yes. The lease of 1840 is a lease of 21a. 1r. 35r., Irish measure, for three lives or sixty-one years, granted to Mr. Robert Houston at £24 8s. per annum.

22. That is not much more than 41 per acre?—Not much more.

23. What is the value of that land?—I have not the least idea of what the letting value of it is. It is a farm of land.

24. Mr. LAWLESS.—What is the exact date?—22nd June, 1840.

25. CHAIRMAN.—Was the content of the Lords of the Treasury obtained to that lease?—I should say not; I don't think so.

26. I wish to see how Enniskillen is included in the Restraining Acts of 1836 and 1838. Do you know if it was?

Mr. Jervisank Jordan (chairman of the Commissioners).—It is included in the schedule.

27. CHAIRMAN.—The Act of 1836 was an Act restraining for one year the alienation of corporate property. That was extended by subsequent Acts to 1840, and this lease was granted during the time the Act was in operation?—Yes.

28. The present Commissioners found that lease in existence?—They did.

29. The other lease was granted in 1840?

Yes, Clerk.—Yes. That was granted by the Commissioners under the 9th Geo. IV. The lease of 1849 was, I understand, a lease of part of the lands of Kilsaloo, containing twenty-eight acres, for a term of thirty-one years, at £25 a year, to James Maguire.

30. What is the letting value of land at Kilsaloo and its immediate neighbourhood at the present time?—I could not say.

31. When that lease was made to Maguire can you say what was the valuation made of the lands?—Not that I am aware of.

32. Is there any minute about it in your books?—In a minute with reference to the month of May, 1849, there is something mentioned about the lease, but there is nothing said about the valuation. I never came across in the books anything with regard to the valuation.

33. CHAIRMAN (referring to minute book).—Here is Maguire's offer:—

"6th April, 1848.

"I propose to give the Town Commissioners of Enniskillen the sum of £25 sterling per annum for that portion of the lands of £25 value formerly held by Adam Maguire, with the sum of £100 value formerly held by Adam Maguire, with the sum of £100 value formerly held by Adam Maguire, and the remaining £25 to be allowed in the rent as it may occur. Rent to continue 31st day of May, 1853. A lease to be given for sixty-one years provided the Town Commissioners have power to do so."

34. The next meeting appears to have been on the 25th April, 1849. It was then proposed:—

"That Mr. James Maguire be allowed to receive £20 of the fee he is to pay for Kilsaloo towards building a house on the plan of that house, and that if the Commissioners assent to getting the £25 sought for, Mr. Maguire be handed the difference; and if less be obtained, Mr. Maguire do hand back the difference to the Commissioners."

That does not indicate whether his offer was accepted

Examiners.
Nov. 13, 1871.
Mr. John
Chilwell.

except by implication. What is the date of the lease?

—The 4th June, 1818.

35. It appears by the minutes that on the 12th March, 1843, it was resolved—

"That an agent be directed to give up to Adam Maguire what-ever property he has now under whom or the said Adam Maguire has given up the full and legal possession of the land which he holds under the Commission of Enrolment, which is situate in the townland of Kilsnoo, all possession taking place within one week from this date."

Evidently there was some distrust for rent, and the Lands were to be given up on the goods being given back. Do you know what relation was James to Adam Maguire? Was he his son, or any relation?—I don't know.

36. At all events, at the next meeting James Maguire made the offer I have read?—Yes.

37. He was to pay £100; practically that was no fine at all, for £50 was to be applied towards payment of arrears, and the other £50 were to be allowed for the next two years' rent?—Yes.

38. There does not appear to have been any steps taken by the Commissioners to value the land. There is no reference to the old rents they had been paid; and, in fact, there was really no formal acceptance of Maguire's offer?—No.

39. And no attempt to let the land by auction?—No.

40. There is no reference to the matter after that, except about the allowance for £30. The lease was not granted for sixty-one, but for thirty-one years.

41. Mr. B. N. Lees (collector of the Commissioners' rents)—Maguire assigned his interest to another party, who assigned it to a third, and the place is now in possession of a man named McBaron. I wasn't agent at the time the letting took place.

42. Have you, Mr. Town Clerk, in your possession any other leases granted of the lands of Kilsnoo?—No.

43. No older leases than 1840?—No, I think not.

44. The borough engineer says there is 122 statute acres in the place, and about seventy of these are not accounted for. All I understand you to say is that you know of no other leases of Kilsnoo being in existence?—I do not.

45. Since you became town clerk have any old leases fallen into the Commissioners' hands, and have settlements been made?—Yes, some house property in the town of Renskillen fell into their hands.

46. Nothing but houses?—No.

47. None of the Kilsnoo property fell in?—No.

48. In those cases have the premises been let by auction, or by public advertisement, to the highest bidder?—In some instances they were let by advertisement. A considerable portion of the property in Belmore-street was let by tender. They were not let by lease—the letting was from year to year, and was made to two or three gentlemen who sat in the highest tenders. One portion was let to Mr. William Lowry, and another to Mr. Patrick Maguire.

49. Were these gentlemen Commissioners?—No, neither of them.

50. Nor connected with the Commissioners?—No.

51. And was the highest offer the one that was accepted?—Certainly.

52. Is that the only instance since you have been town clerk, in which premises fell into the hands of the Commissioners, and were sold?—I think so. One of the old tenants came in and surrendered a lease on condition of his getting a new one, the provision being that he should remodel the house.

53. Was that Mr. John Collins?—Yes.

54. I see he holds a house in Belmore-street for seventy-five years, at £8 per annum; he holds a tenement and garden in Toneywick—a strip of land, and a third holding, for seventy-five years each?—I am referring to his holding in Belmore-street.

55. Is that the one at £8 a year?—No, it is not in the list I sent you. The rent had been £2 14s. per annum, and in consideration of his paying an increased rent up to £4 a year, he got the seventy-five years' lease.

56. How many years of the old lease had yet to run?—Twenty-four, I believe.

57. He surrendered that on condition that he got a

fresh lease for seventy-five years, at £4 a year?—Yes, on the terms of his undertaking to raise the house a story. It had been a detached house—and he undertook to raise it, and put a slated roof on it—thereby increasing the value of the property.

58. Have you got a minute of that in your book?—I have (referring to book).

59. Is he the same Mr. Collins that holds the tenement and land in Toneywick, and the house in Belmore-street?—Yes.

60. Was the consent of the Lords of the Treasury obtained to that lease?—It was not. I have the minute here:—

"3rd August, 1871.

"That we take a surrender of Mr. Collins's existing lease of that house in Belmore-street, occupied by Philip Shannon, of an existing rent of £2 14s., and give him a new lease for a term of seventy-five years from the present time, on the condition specified in his letter of 30th July, 1871, at an additional rent of £1 1s. sterling, making a total rent of £4 sterling per annum, and that Mr. Collins bear the legal expenses resulting from the change."

61. The house in add to be in the occupation of Philip Shannon. What rent does he pay for it?—I don't know. The frontage appears to be twenty-seven feet six, and the depth sixty-two feet. That was an increase in the rent—when it was raised to £4 per annum—of about 1s. per foot.

62. What is the place valued at at present?—It is at present valued at £15 10s.—that is since the new building was put upon it.

63. What was the former rate?—I don't know.

64. Mr. McAllen (poor-rate collector).—The former rate was £10 a year.

65. CHAIRMAN.—This gentleman, Mr. Collins, appears to have had three other leases granted since 1840. One in Belmore-street, one in Toneywick, and other property besides at Foxhill?—Yes; and he has a good deal of property in the pig-market.

66. Property belonging to the Commissioners?—Yes.

67. Mr. Jordan (chairman of the Town Commissioners).—He has not a great deal in the pig-market. He has no lease of that property so far as we know.

68. Mr. LAWSON.—Does he pay a weekly or annual rent?—Mr. Jordan.—He pays an annual rent.

69. CHAIRMAN.—Does Mr. Collins pay rent to the Commissioners for property in the pig-market for which he has no lease, so far as you are aware?—Yes.

70. Then he holds on inference?—Mr. Jordan.—I really could not tell you. He says his title is good, though the Commissioners don't know anything about it.

71. Have the Commissioners ever taken any steps, since you became town clerk, Mr. Chilwell, to ascertain what title Mr. Collins had to this property in the pig-market?—Not that I am aware of. It appears the Commissioners appointed committees to inquire whether Mr. Collins had a title, but they never could make it out. (Rental handed to Chairman.)

72. I suppose this ground for which Mr. Collins pays rent is in disputed possession?—Well, sometime ago the Commissioners, as I stated, appointed a committee to investigate his title, and they could not come to any satisfactory conclusion on the subject.

73. If he had a lease he could produce it?—He could, but he failed to produce it.

74. Does he pay an adequate rent for it?—I am not sure whether he does or not. It is not valued. Mr. Darragh and Mr. Lowe have built on it. Paget-street is the pig-market.

75. 27 a year is what he pays for the pig-market; and Captain Collins, who I understand now represents Mr. John Collins, claims that he has a lease of that property?—So I believe.

76. The Commissioners could not find out whether he had or not, though they asked him to produce the deed, and he failed to do so?—I am not aware that the Commissioners asked Captain Collins to produce the lease, but they asked his father, the late Mr. John Collins.

77. In the meantime how they accepted the rent?—They have.

78. How long have they been receiving the rent

since the question as to the lease was raised?—Some three or four years.

79. What is the nature of the property for which he pays this £7 a year?—It was a plot of vacant ground, upon which a few years ago some stores were erected.

80. Erected by John Collum as his representative?—Erected by the tenants to whom he sublet the property.

81. Do you know what he sublets the property for?—No.

82. Mr. George Durragh.—I pay £7 10s. a year for the ground, but that includes some ground held by Mr. Collum himself, and which the Commissioners have no claim upon. The ground is only fourteen feet in front.

83. CHAIRMAN.—What are you paying Captain Collum for the property belonging to the Commissioners?—The front part of the strip belongs to the Commissioners, and the back to Captain Collum. I pay him £7 10s. for the whole, but there is a provision as to £3 a year, which is to be abated when Captain Collum's lease under the Commissioners of that portion falls in, and the £3 a year will then have to be paid to the Commissioners.

84. Then I may say you are paying him £3 a year for what he holds from the Commissioners?—I suppose it amounts to that. There are four houses included in that £7 10s.

85. Do these four houses belong to the Commissioners?—They are built on the land of the Commissioners.

86. What is the rent altogether which Collum gets for the Commissioners' land?—I could not tell you that.

87. These are houses on the Commissioners' land, and when they dispute the lease one would think that they would take some steps to ascertain their rights.

Mr. Lease.—I never got directions to take such steps.

88. CHAIRMAN.—Give me the reasonable valuation of the property at all events.

89. Town Clerk.—The names of the parties occupying are William Johnston, John Maguire, John Love, and Francis Kelly, and the rating is £39 a year, for the whole premises. Mr. Durragh's store and Mr. Law's store are valued at £22 and included in that £39.

90. CHAIRMAN.—That would leave about £13 a year for what he is paying £7, exclusive of the other places?—Yes.

91. What he is paying £7 a year for is rated for £13 exclusive of the new buildings put up by his tenants. Can you tell me the particulars of the lease granted since 1840 and for which he pays £16 a year?—No. (Lease produced).

92. Mr. Jordan.—That is the old lease which was made to Dr. Hugh Collum, and when he surrendered it a new lease was made to Mr. John Collum.

93. CHAIRMAN (to Town Clerk).—Look in your minute book for 1849 for anything in relation to that surrender and fresh lease. What was the rent in the old lease he surrendered?—£13 per annum.

94. And how many years were to run?—It was made in 1839 for sixty-one years, so that there were twenty-three years to run.

95. And did he agree to pay £3 a year more to get the lease for seventy-five years?—Yes, and to build a house costing £300. The old lease which was cancelled was one of the leases granted by the old burgesses in 1839, after the statute was passed reuniting the alienation of corporate property to a brother of Mr. Collum, and Captain Collum holds it as successor of John Collum.

96. There was another strip of land in Toneytick which was granted to him at the same time for seventy-five years at £3 a year?—Yes. (Lease produced).

97. Was that a building lease?—Mr. Jordan.—Yes. Under that lease he was to expend £50.

98. This was a piece of ground about which there was a dispute as to a right of way, and he was to expend £50 within five years?

Mr. Jordan.—Yes, but he never built, so that he has not expended the £50, or any portion of it, except what he laid out paving it.

99. This was a strip of ground over which Collum claimed a right of way, and in order to get rid of the dispute, the lease was granted to him for a term of seventy-five years, on condition of his expending £50 on the place, but that £50 has not been laid out by him?—Witness.—Quite so.

100. We now come to his holding in Belmore-street, which he held from the Commissioners under a lease for seventy-five years at £8 per annum?—That lease is not forthcoming. It does not appear that we have got a copy of it.

101. It is down on the schedule you handed me of leases granted since 1840. Perhaps Mr. Love, the agent of the Commissioners, will let us have a list of the lands held by Captain Collum and a list of the persons holding under him.

Mr. Lease.—Yes, I will do the best I can.

102. Witness.—I think the annual rent mentioned in the lease of the Belmore-street premises is £6 15s. 3d., and not £8. The latter figure is evidently a mistake.

103. Who keeps the leases?—The chairman and town clerk have each a key for the safe in which they are kept in the town hall.

104. When did you first ascertain that these leases were lost?—

105. Mr. Jordan.—Three or four years ago.

106. Witness.—Far longer. There is a printed list showing the lost leases. That was made some ten years ago, long before I was town clerk. I found it in evidence when I came into office.

107. Is that printed list you found the lease to John Collum of the house in Belmore-street mentioned?—Yes, at an annual rent of £6 15s. 3d.

108. Mr. Jordan.—It may be well to inform you that Mr. John Collum was law agent for the Corporation from the commencement of the Commissioners, under 9th George IV., cap. 83, and he was succeeded by his brother Mr. Archibald Collum, so that they had all our leases and papers under their hands and control. Some of these papers, we cannot say whether intentionally or otherwise, have got astray.

109. Then in point of fact, at the time some of these leases were granted to him, Mr. Collum was agent to the Corporation?—One of the brothers was.

110. Mr. LAWLESS.—Who was agent in 1849?—Mr. Jordan.—Mr. John Collum himself was law agent, and in 1852, Mr. Archibald Collum succeeded him.—Mr. John Collum, having gone to reside more in Dublin. We have not been able to lay our hands on that Paget-street lease, and the Belmore-street lease is another of the missing ones.

111. CHAIRMAN.—Except what appears on the printed document to which reference has been made, we seem to have no record as to the lease of Belmore-street at all. I followed what appeared on the rental. I saw Mr. Collum's name down there four times; and here I have Mr. Collum down for £6 15s. 3d., and I find Captain Collum again down for £4 9s. 6d. per annum?

Mr. Lease.—That is for the place opposite the railway station, known as the railway hotel, and occupied by a man named McNamee. The premises are rated at £32.

112. What is the date of that lease?—It is dated 27th November, 1850,—and was made for that plot of ground on which two old houses or cabins were erected, lately in the possession of John Copeland, or his tenants.

113. Who is that lease made to?—A man named McDonnell for seventy-five years.

114. Who pays you the rent?—Captain Collum pays the rent, £2 4s. 6d. half-yearly.

115. How comes Captain Collum to hold the property now?—It was assigned to his father John Collum, by McDonnell. My belief is that McDonnell was simply the trustee for John Collum.

116. What is this property rated for in the rate-
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RECORDED,
March 23, 1877.
Mr. John
Collum.

EDMUNDSON,
March 25, 1871.
Mr. John
Colburn.

look 1—Since the buildings have been erected on it the rating is £22 a year.

117. He attempted to lay out £100 in building premises. Did he do so?—Oh, yes; he laid out more.

118. Colburn or McDonnell?—Colburn.

119. Can you make out a list for us, specifying the tenements, &c.?—I do not know where the tenements are. I got the Commissioners' rental, and I followed it strictly since I became agent. I never examined their property. I am not the Commissioners' agent. I only receive the rents, and get the miserable proceeds of 6d. for doing so.

120. Mr. LAWLER.—Can you let us have the rental?—Yes. (Rental produced.)

121. Is this a copy of the old rental that you got when you went into office?—Yes; it is the same, except for any alterations that were made since in the tenements.

122. CHAIRMAN.—Will you just put down on paper the different holdings for which Colburn pays you rent, with the locality of the holding, the amount of the rent, and whether there are houses or not?—Yes.

123. Has the present Mr. Colburn continued to hold all the property that was leased to Archibald Colburn?—There was no lease to Archibald Colburn, but Captain Colburn holds the property leased to John Colburn. The lease in 1849 was succeeded by John Colburn, and a new lease was granted by the Commissioners.

124. CHAIRMAN (to Town Clerk).—Was there another letting by the Commissioners since you have been town clerk?—There was a lease made to Mr. John Lemon in the year 1870, since I became town clerk—a building lease—and another building lease to Mr. Conker. Lemon's lease was a building lease for seventy-five years.

125. Can you produce that lease?—Yes. (Lease produced.)

126. What was the consideration of that lease?—He was to expend £1,800, I think, but I am not certain. He spent about £2,000 on the place. The lease was for seventy-five years—either two or three acres, at £13 1s. 8d.

127. Is that building ground in Toneystick?—Yes.

128. £13 1s. 8d. for seventy-five years?—Yes.

129. Can you tell me what was the rental value of that land in Toneystick for which he paid £13 1s. 8d. previous to the erection of the new building by Mr. Lemon?—No, I cannot tell you.

130. What is the rental value now? Are the buildings complete?—They are.

131. What do the buildings consist of?—There are six houses. The valuation of the houses, offices, and gardens on that ground is £104 10s. There is one piece of land valued at £5 10s., and another piece at £6, and there is a separate valuation on the houses.

132. Which piece of ground is valued at £6?—It is separate from the houses altogether.

133. You say one piece of the land is built upon—is it not?—No.

134. Does he not pay £3 a year rent for that portion of which he has a thirty-one years' lease? Which of the pieces is that?—I cannot tell.

135. Perhaps it may be for the two?—Yes, it may be.

136. Are they both in the occupation of Lemon?—Yes.

137. Whom does the rate-book say is the owner?—It does not say.

138. Is not Mr. Lemon the owner?—No; the Town Commissioners are the owners.

139. At all events, the only two pieces of lands that are not built upon and are held by Lemon in Toneystick are divided into two pieces—one valued at £6 and one at £5 10s., and the only rent he pays is £3 a year for the lands not built upon?—Yes; the houses are built upon a piece of ground for which he pays £23 1s. 8d. a year.

140. We cannot get what the value of that ground was before the houses were built upon, but we can get the value of the land which is not built on, and which

he holds under a thirty-one years' lease. Can you give me that lease?—Yes. (Lease produced.)

141. I see that the building ground was let for thirty-one years at a rent of £13 1s. 8d., and is consisted of 2½, 1s. 4s. These two portions of land—one at £5 10s. and one at £6, and a portion on which the six houses are built—are valued exclusive of the buildings. The valuation of this is £104 odd. Is Mr. Lemon in any way connected with the body of Commissioners, or was he at that time?

Mr. Jordan.—He was a member at the time the lease was given to him, and he was at the board on the day the lease was signed—that is the first lease.

142. Was he a member of the municipal body at the time he obtained this lease of building ground at £13 1s. 8d.?—No, he was not.

143. That was in the year 1870?—Yes.

144. How recently had he been a member of the municipal body?

Town Clerk.—Not for a number of years previous to that date.

145. Mr. Jordan.—He was again elected a member in 1873, but had not been a member for many years previously. He was present as a Commissioner when the lease was made on the 6th March, 1848.

146. Mr. LAWLER.—I see that the last signature of the houses on the lease is his. He must have signed it as a Commissioner.

147. CHAIRMAN (to Town Clerk).—Did he surrender that lease in 1873?—Yes.

148. Did he do so on the understanding that a seventy-five years' lease was to be granted to a subsequent?—Yes.

149. Can you get the minutes of that transaction?—Yes; it is dated 3rd November, 1873.

150. When are the Commissioners elected for the year?—They are elected in the month of July for three years.

151. Had he resigned previous to the 3rd November, 1873?—No.

152. Will you now read the minute?—Yes.

* Proposed by Mr. MEA, seconded by Mr. GARDY, and passed unanimously, that an entry of Mr. Lemon's offer be made in the minute-book, that he will not be disturbed in his holding until the expiration of his lease by his now surrendering the lease, so that Mr. Arthur get his building lease in accordance with the resolution of 1860.*

153. Mr. Jordan.—These houses were partly built by another man. Mr. Lemon had assigned the piece of ground to another man named Binkley, who had the houses partly built. Mr. Arthur bought his interest, and then came to the Commissioners for a building lease for seventy-five years, although the houses were in course of erection.

154. Do you say that the houses were actually built by Mr. Binkley?—Yes, they were. He assigned to Arthur, and Arthur, under the conditions in the surrender of Mr. Lemon's lease, got a building lease for seventy-five years for building houses that were already built.

155. Was Mr. Lemon a Commissioner in 1860?—I think not. Here is the minute of 2nd January, 1860:—

* Proposed and seconded, that Mr. WILLIAM ARTHUR's proposal for a lease for a plot of ground situated in Toneystick, at the parish rent of 9s., be granted on condition of Mr. Lemon handing over his lease of the premises to be cancelled. Five voted for and three against.*

156. Was there a lease granted in 1860?—No.

157. The resolution of 1860, although passed by a majority, was never acted upon?—Never.

158. And the matter was not brought up again till the year 1873?—Not to my knowledge.

159. Mr. Jordan.—I think there was a time specified within which it was to be executed. I believe within one year, and that period elapsed without it having been done.

160. The lease was not enlarged, and nothing was done till 1873?—No.

161. CHAIRMAN (to FOCUS CLERK).—Was Mr. Lemon's lease not surrendered till 1873?—No, it was not.

162. Mr. Jordan.—We do not know anything whatever about Blackley's lease. We never knew anything about it.

163. CHAIRMAN.—The Commissioners at that time recognised that there was a lease, because Lemon is to hand over his lease to be cancelled. It was assumed there was a lease.—We do not know anything about the assignment of that lease to Blackley.

164. In November, 1873, a resolution was proposed and passed which was to the effect that Lemon was not to be disturbed in his holding until the expiration of his lease, and that a lease was to be given to Arthur on condition of Lemon's surrendering his lease; that means, in fact, that he was to go through the form of surrendering his lease, far, as I understand it, he was still to get the benefit of the lease, and that because of his doing so a lease was to be given to Arthur for building houses which, in fact, were built fifteen years before.—Yes, that is it.

165. In 1848 a lease of some land was given to Lemon at a rent of £3 a year for thirty-one years. In 1860 a proposal was made that a building lease should be granted for a portion of that ground to Mr. Arthur in consideration of Mr. Lemon surrendering his lease, and being in to be cancelled any lease that might have been granted by him to Blackley, or by Blackley to Arthur, and that was to be done at Arthur's sole expense and risk if any new lease in pursuance of that resolution was to be granted. This was to be done within twelve months after the date of the resolution. No fresh lease was granted within the twelve months, and nothing else appears to have been done with regard to the lease till November, 1873, when the resolution of the 3rd of November, already read, was passed.

FOCUS CLERK.—I may mention that Mr. Lemon came before the Corporation and made the offer verbally.

166. CHAIRMAN (to FOCUS CLERK).—Was the plot of land on which the buildings were put up sold by Lemon to Blackley or Arthur?—I cannot answer that question.

167. It was part of the holding, at all events?

Mr. Lemon.—It was a garden; it was part of the holding at £3 a year. I sold it to Blackley.

168. CHAIRMAN (to Mr. Lemon).—Who put up the houses; was it Blackley or yourself?—It was Blackley.

169. Did you grant a lease to Blackley?—I sold it to him.

170. You sold him your interest in the lease?—No, I sold him the garden.

171. All you could sell him was your interest in the lease that was granted to you?—That is all.

172. How much did you sell it for?—For £10.

173. Did he, on a piece of that ground, build the houses?—Yes; he built six houses.

174. Was there any conveyance or assignment to him of your interest?—I expect there must have been some assignment, but I do not remember anything about it.

175. Mr. LAWLESS.—By whom was the rent paid to the Commissioners after you sold your interest to Blackley?—I always paid the rent to the Commissioners.

176. CHAIRMAN.—Were the Commissioners in any way a party to this transfer from you to Blackley?—No.

177. Did you not in consideration of having put up these houses ask them to grant him a seventy-five years' building lease?—I did not.

178. Well, Arthur did?—Arthur did apply for a lease, but they could not give it to him because I had one. He asked me if I would surrender my lease in his favour, and I said I would.

179. What was he to give you for doing so?—Nothing whatever.

180. That was very goodnatured of you?—He never promised me a penny, and I never got a penny. I know the lease had not a very long time to run, and I also

knew well enough the Town Commissioners would not take advantage of me in the transaction.

181. Has any lease been granted to Arthur in pursuance of this resolution?—No.

182. The matter has never gone beyond the passing of the resolution?—No, it has not.

183. Mr. LAWLESS.—Did Mr. Arthur or Mr. Blackley ever pay you any rent?—No; they never paid me any rent. Blackley paid me £10 in the first instance, but Arthur never paid me anything.

184. I understand that in the year 1873 you were again elected Town Commissioner, not having been a member of the body for many years previous?—Yes.

185. Were you re-elected in July, 1873?—Yes.

186. In November, 1873, when this resolution was passed you do not appear to have been present; I understand you resigned some time after your election?—I did. I did not remain a member of the Commissioners more than six or eight months.

187. Can you say whether or not you were in office at the time this proposal was made?—I cannot say now. I would need to look into the matter. I think it was previous to the time I was re-elected a Commissioner that Arthur made the application.

188. Of course it was; but I mean the last time the matter was brought up?—I could not tell you.

189. FOCUS CLERK.—I find by the minute-book that Mr. Lemon was a member of the body of commissioners on the 1st November, 1873.

190. Was he present at that meeting in November, 1873?—He was.

191. CHAIRMAN (to FOCUS CLERK).—Was there any other lease granted since you have been town clerk?—Yes; there was a building lease granted to Mr. William Coulter.

192. Mr. LAWLESS.—What was the date of that lease?—It was merely a piece of building-ground—property that was never built on before. The date of the lease was the 6th October, 1873. The ground was let to him at 2s. per foot.

193. It was for seventy-five years at the rent of £3 5s. 2d., in consideration of his improving the dwelling-house or putting up a more substantial house?—There were no houses built on the ground.

194. The condition in the lease is testament houses to be built and improved?—Yes, but it was then a plot of waste ground.

195. The amount of money to be laid out on it is not specified?—I may mention that he has since erected two or three very substantial houses on it.

196. What is the ground let at now?—On the recommendation of the committee it was let at 2s. per foot.

197. Mr. Jordan.—The committee consisted of Dr. Walsh who is now present, myself, and some other members. There are three houses altogether, valued at £25 10s. Mr. Coulter has built two houses on the plot of ground valued at £8 15s. each.

198. CHAIRMAN (to FOCUS CLERK).—Has he put up buildings valued at £17 10s. per annum?—Yes.

199. I understand from Mr. Jordan, and perhaps you can of your own knowledge confirm what he says, that the land was valued by a committee before it was let to Mr. Coulter?—Yes; it was.

200. Is that the only case since you have been town clerk in which to your knowledge any property lot or plot by the Commissioners has been valued by a committee?—That is the first instance.

201. Mr. Jordan.—We advertised the ground to be let at a higher rate, and no person would take it on the terms.

202. CHAIRMAN (to FOCUS CLERK).—It was first advertised before it was let to Mr. Coulter?—Yes.

203. Is that the first instance of land being advertised?—This plot was advertised for a considerable length of time.

204. Was it ever let to any person before, either by the old Corporation or the present Commissioners?

Mr. Jordan.—I believe the place was let by the old burgesses, and there were houses built on it.

REMARKS.
March 19, 1887.
Mr. John
Cullin

205. I asked the question, because the town clerk said just now, that it was never let before?—I think it was let to a tenant named Lyons.

206. Town Clerk.—It was never before let on lease that I am aware of.

207. CHAIRMAN (to Town Clerk).—This land was advertised to be let for some time before it was let to Cullin, and no one came forward to take it on the terms on which it was offered, and was it then valued by a committee of three?—Yes.

208. Is that the last lease granted by the Commissioners since you have been town clerk?—No; there was another plot of ground since then let to a Mr. Stewart, also a building lease; the lease has not been executed up to the present time, although it is in the hands of the solicitor.

209. What steps were taken before it was agreed to grant that lease? Was the ground advertised?—Yes.

210. And did Mr. Stewart make the highest offer for it?—He made the only offer that was made for it.

211. Is it a lease for seventy-five years?—Yes.

212. Mr. Jordan.—I think there was an offer of 1s. 8d. per foot for the whole of it. I think Mr. James Cullin offered that.

213. How much per foot was Mr. Stewart to pay for it?—3s. 6d. per foot.

214. And the stipulation is that he is to put up substantial houses?—Yes; he has built four houses already.

215. Although the lease is not yet perfected?—Yes; the lease is in the hands of the solicitor.

216. The houses were built on the fish of the lease being granted?—Yes.

217. CHAIRMAN (to Town Clerk).—Have you now told us about all the leases granted within your time?—I have.

218. Since you have been town clerk, have any resolutions been passed by the Town Commissioners with regard to granting leases to members of their own body?—No.

219. Have any resolutions been brought forward on the subject of the surrender of old leases and with the object of obtaining new ones?—No, except in the case of Mr. Cullin, which took place during my term of office.

220. But the question has not been revived of granting leases to the members of the municipal body, or of accepting surrenders with the view to granting new leases?—No.

221. I should like to hear something about the waterworks. Were they constructed since you have been town clerk?—Yes. The waterworks are situated about four and a half miles from Enniskillen—at a lake four and a half miles from the town.

222. Is an ample high-pressure supply for the town of Enniskillen obtained from these works?—There is a very ample supply.

223. What did the works cost?—Upwards of £10,000.

224. Mr. LAWLESS.—How did you expend £10,000 when the Act requires only £8,000 to be laid out?—The Commissioners got into debt, and we were obliged to spend the money.

225. CHAIRMAN.—The Act of 1870 gave you power to borrow £10,000?—Yes.

226. Of which £8,000 was to be devoted to purposes of town improvement?—Yes.

227. And £2,000 for the waterworks?—Yes.

228. Then you say you borrowed £10,000?—No; we borrowed £7,000 for the waterworks only, but the cost of the works and the Parliamentary bill of costs amounted to £10,000.

229. Mr. LAWLESS.—What was the cost of that bill?—About £1,000.

230. Were there any petitioners against it?—The Grand Jury of the county Fermanagh and grand jurors individually, but they withdrew their opposition before the Bill went before the committee.

231. The Grand Jury did?—Yes.

232. CHAIRMAN.—From whom did you get the

money?—From the Public Works Loan Commissioners of London.

233. How much of that debt is still outstanding?—£5,350.

234. There were two loans—one was a loan of £4,000?—Yes, that was in the year 1873.

235. And the previous loan of £7,000 for the construction of the waterworks was obtained in September, 1871, and there remains unpaid of that up to the present time £5,250?—Yes.

236. That is repayable in the ordinary form of Government loans—by instalments and interest?—Yes, in twenty years.

237. Have those payments been made annually?—Yes, on the 1st November of each year.

238. You got another loan of £4,000 from the Commissioners?—Yes.

239. That was for the town improvement?—Yes; that £4,000 was obtained from the Board of Public Works in Ireland.

240. The other was from the Board of Public Works in England?—Yes.

241. Last year you paid £330 11s. 6d., the annual instalment on that loan of £4,000, and £1,000 in reduction of debt?—Yes.

242. Where did you get that £1,000 from?—From the Enniskillen gas company.

243. How did the Enniskillen gas company give you that £1,000?—In the year 1874, the Enniskillen gas company sought for, and obtained a special Act of Parliament, making it compulsory on the Town Commissioners to sell to them the piece of ground on which the gasworks were erected, and for which they paid to the Town Commissioners the £1,000 referred to. Mr. Malin, the chief partner in the works, came before the Commissioners, and it was agreed that sum should be paid. With the consent of the Lords of the Treasury, the £1,000 was applied to the reduction of debt.

244. What have you outstanding on the first loan?—£5,000.

245. And less than £3,000 on the second?—Yes; £2,440 on the second loan.

246. Have you any other capital debts?—No.

247. How do you stand at the bank at the present moment? Have you a balance against you?—We are overdrawn at the bank to the extent of over £100.

248. Were you overdrawn at the close of the last audit—on the 31st July, 1876?—We owed our Treasurer then a sum of £154 8s. 11d.

249. And you had a balance in your hands for current expenses of £301?—Yes.

250. You had started in the beginning of that year with a small debt of £30 11s. 6d. to the Treasurer?—Yes.

251. And you had £40 in hands on the other side of the account?—Yes.

252. You had £40 in hand at the beginning of the year, and £30 at the end; how much do you generally hold in your hands for current expenses?—For the past twelve months I have had £30.

253. You get a cheque for £50 I suppose, and then you pay wages and certain small payments out of it?—Yes.

254. When you are running short do you go to the Commissioners and get a fresh cheque?—No. If I find the £50 insufficient to meet the payments during the month, I either advance the money myself, or go to the chairman of the Town Commissioners and get it; I do not get a fresh cheque.

255. Not until the next month?—No.

256. You are always supposed to have a small amount of money in your hands to meet current expenses?—Yes.

257. And it never exceeds £50?—No.

258. Do you give security?—No.

259. What payments are made by you?—I pay the town sergeants their weekly wages. There are three town sergeants.

260. What are the duties of those town sergeants?

—Their duties are to look after the sweeping and the cleansing of the town, and to see that the public lamps are lit for the proper time. One of the town sergeants is a sanitary officer.

261. Irrespective of the sanitary work are their positions equal, or is one of them a head sergeant, and the other two under his orders?—They are all equal.

262. Is a different district of the town allotted to each of them?—Yes.

263. What are they paid?—One gets £39 8s. per annum, and another £35 8s., and both these men have a free house. The other man gets £30 per annum, and has not a free house. They all get a suit of clothes annually.

264. I see you paid £27 18s. 6d. for clothing last year?—Yes; but that was for two years.

265. Do you not generally pay your bills within the year?—We generally pay them once a month.

266. And how then did this run on?—I think the clothing made at the time did not fit the men, and the account was not passed up to the 31st July.

267. What was the amount of rents received last year?—£565 16s. 6d.

268. £563 13s. from tenants who pay half-yearly, and £102 3s. 6d. from the tenants who pay weekly and monthly?—Yes.

269. What balance uncollected was there at the time when the account was closed?—Well, I can't tell you that just at present.

270. Not from the rental?—I have not got the rental.

271. Does that represent nearly the whole of your annual income?—That is the whole of the annual rental for houses and lands.

272. Is that above or below the average?—That is rather above it.

273. What are these rents?—About £550 a year I think.

274. CHAIRMAN.—The "annual rents" are £526 3s. 11d., and £563 13s. was brought into account last year. The quarterly and weekly and monthly rents are £123 8s. 6d. and £102 3s. 6d. was paid last year; so that in the year you got £30 less by the excess, and the rents came to about £49 more?—Yes.

275. You seem to have received £45 1s. 6d. by persons to whom you let houses in the town hall?—Yes.

276. That was for the drink, &c.?—Yes.

277. Do you generally, every year, get a certain amount for the annual letting of this town hall?—Yes.

278. What is the average?—The previous year I think the amount was about £38 or £39. During the present year we have hardly got anything as the hall is undergoing repair.

279. How much was received for water rents last year?—£224 14s. 6d.

280. Does that represent the annual rental?—No, it does not. There is £20 more than that. The railway company paid us a year's rent instead of one and a half year's rent.

281. Factors. Royal School makes £20; the Model School £18; Great Northern Railway Company £20; County Infirmary £13; Military Authorities £60; and other contractors £54 14s. 6d.?—Yes.

282. Do all the inhabitants pay the water rate?—Yes.

283. Is there any charge made to any private house beyond the water rate?—No.

284. The water rate amounted last year to £786 7s. 6d.?

285. Well, what does the 1s. 6d. rate produce?—£736 13s. 3d.

286. What is your rateable value?—The rate upon which that amount was struck was £11,034 19s.; that produces at 1s. 6d. in the pound £736 18s. 11d.

287. Did you then receive about £60 more from old streets?—Yes.

288. Was that rate closed with an equal amount of stress on the preceding year or not?—I think just

about the same as in the preceding year. I may just mention to you now, that since the Commissioners first met in 1871, a sum of £60 0s. 2d. has been pronounced irrecoverable; and the entire amount of the assessments, with the exception of the sum above referred to, came to £9,484 0s. 2d. The entire of that amount, with the exception of £60 0s. 2d. and £64 0s. 2d. carried forward to the current account has been lodged to the account of the treasurer.

289. I think you told us already the same rates have been held every year?—No improvement rate, and 1s. 6d. for water?—Precisely.

290. What have you done with all the improvement money during those last five or six years?—Mr. Wemy will be able to give you that better than I.

291. I suppose there has been a considerable amount expended on sewerage?—Yes; I should say about £1,500.

292. Your other income besides this water rate and your rental consists of the fines from the borough court and the dog licenses chiefly?—Yes; and some other little things, market stores, &c.

293. What did you get for fees last year?—For thirteen months, up to the 31st of July, the borough fees were £48 19s.

294. What from the dog licenses?—£15 5s. 5d.

295. That was for the year only?—That was for the year only; it is paid annually.

296. Then you received back from the Local Government Board on account of the salaries of sanitary officers, £22 13s. 4d., and in lieu of Government rates, £77 2s.?—Yes.

297. The tax are principally on the burials?—Yes.

298. I see there are two such burials?—There are two burials in the town.

299. The sale of manure brought £28 3s. 4d.?—Yes.

300. Do the Commissioners get all the sweeping and cleansing done by contract or by people employed by the town?—By their own men, not by contract.

301. Where is the manure sold?—On the Dithelm road.

302. Out of the town?—Out of the town.

303. And not near any dwelling?—At a considerable distance from any dwelling.

304. So that it cannot be a public nuisance?—Oh, no.

305. How often do you sell?—About two or three times a year—twice a year.

306. Then you have £9 3s. 6d. interest on that £1,000 the gas company paid you before you paid off the loan?—Yes; it was deposited in the Ulster Bank.

307. And you have £17 12s. 8d. from private individuals for sanitary improvements properly chargeable to the owners?—Yes.

308. Your first item on the other side, I see, is salaries. How long have you had your borough surveyor?—He was appointed immediately after the passing of the Act—in 1870.

309. What is your own salary?—£50 per annum, with an additional salary of £15 for preparing the Parliamentary voters list.

310. Is that all you receive?—Yes.

311. You are not executive sanitary officer?—No.

312. Is the rate-collector paid by salary or by poundage?—By poundage. He gets 3d. in the pound for collecting the borough improvement rate, and 6d. for the water rate.

313. He does not collect the rents?—No; the rents are collected by an agent.

314. Is that agent paid by poundage?—He is; 6d. in the pound.

315. Do both these officers give security?—They give security to £500 each.

316. Who has the custody of their bonds?—The chairman of the Town Commissioners and myself.

317. The agent's poundage last year was £17 5s. 3d., making altogether £331 14s. 3d. expended on salaries, uniforms, and fees on collections; and your town improvements, consisting of the repair of streets, footways, &c., came to £415 14s. 4d.?—Yes.

Examination.
March 22, 1877.
Mr. John
Gibson.

INTERVIEW.
JANUARY 25, 1877.
Mr. John
Cotton.

318. The expenditure on waterworks was £791 13s. 4d., but that included £647 10s. instalment of loan and interest due to the Public Works Loan Commissioners, so that your outlay on waterworks was not large?—Very small.

319. You pay the caretaker of the waterworks a weekly salary?—Thirteen shillings a week.

320. How do you assist under him?—If he requires an assistant he hires a man for the day.

321. Then we come to the lighting of your public lamps. Is that done by contract with the gas company?—By contract.

322. The expenditure for lighting of public lamps and church clock amounted last year to £351 2s. 3d.

323. What is your contract with the gas company? Do you pay so much per lamp and so much for the clock, or so much per 1,000 foot?—The account you refer to is so much per 1,000 feet.

324. How much?—5s. 6d. per 1,000 feet. At the time of that contract the general consumers of the town paid 7s. 6d. We got it at a reduction.

325. That was part of the original agreement?—Yes; the contract was only for three years.

326. Have you a fresh contract now?—Yes, at £3 per lamp, and they light for nine months in each year. The £3 per lamp comes to considerably more in the year, but we have our lamps lit for a considerably longer period, for when we light by contract the borough surveyor is careful to have the lamps put out at a very early hour.

327. Is there any exception for moonlight nights?—Only for the night of full moon and the night before and after the lamps are not lit.

328. Three nights in each month are exempted?—Yes.

329. And do you still pay £4 a year for the clock?—No; it is not lighted at all. They wanted the Commissioners to pay more than £4, and they would not do so.

330. The next item I see is your sanitary expenses. Do the Commissioners levy a sanitary rate?—No.

331. The sanitary expenses came altogether last year to £145 1s. 3d.?—Yes; £50 is about the annual amount.

332. Who are the officers?—The consulting sanitary officer, who receives £15 per annum; the two sanitary officers, who receive £10; and the executive sanitary officer, who receives £25. The Poor Law Guardians, however, pay £10 to the sanitary officer. We pay altogether £50, and the Local Government Board pay as back one-half of that.

333. Who is your executive sanitary officer?—The coroner.

334. His salary altogether is £125 a year?—Yes.

335. You paid £20 14s. 9d. for the repair of the burdock sewer, £3 10s. for flushing, and £37 11s. 6d. for sewer-traps and setting, while other works came to £37 1s. 11d.?—Yes.

336. You purchased a "sweeper and scraper" last year. Does it work well?—It does; it is considered a great saving.

337. How many horses for it have you?—Just one horse.

338. The keep of the horse and the wages of the men came to £158 12s. 6d.?—Yes.

339. Since you get this sweeper and scraper you think you have been able to do the work cheaper?—I think a little cheaper.

340. With less labour, of course?—With less labour, of course, and more effectually.

341. What is your opinion of the way in which the streets are kept?—My opinion is that they are very well kept. I have not myself visited any town like Enniskillen in this respect.

342. Are the back lanes and alleys as well looked after as the main streets?—Yes. Of course the back lanes and alleys are not swept, but in a sanitary point of view they are as well looked after as the main streets.

343. Your town hall cost you a good deal of money last year?—Yes, we put up sheds last year.

344. Whom does the town hall belong to?—The Town Commissioners.

345. Was there not a misunderstanding between Lord Enniskillen and the Town Commissioners?—There was a lawsuit between the Town Commissioners and Lord Enniskillen in about 1848—1849 or 1845.

346. That lawsuit was as to whom the town hall really belonged to?—Just so.

347. And the Commissioners proved their claim to it?—Yes; and the Commissioners established their right to several other portions of the corporate property.

348. You laid out £147 12s. 6d. in erecting a shed at the back of the town hall, £37 10s. in repairs, £3 10s. in insurance, £11 6s. 8d. on lighting, and £1 18s. 9d. on fuel, making altogether £260 11s. 11d. expenditure on the town hall?—Yes.

349. Do the Commissioners keep a fire-engine?—They did, previously to the introduction of the present water supply; but they now have sold it as they have no need of it, having a hose in connection with the water main.

350. You spent £4 3s. 6d. last year on the storage and repair of your engine?—That was for stamps. The Commissioners have the engine stored in the yard of a merchant in the town, for which he charges them £4.

351. The expenditure under this head came to £4 11s. 6d. altogether?—Yes.

352. What did the engine sell for?—£45.

353. That will come in in next year's account?—Yes. It has been lodged in the bank since last audit.

354. I see by the account that £411 1s. 9d. was the sum paid for the borough's proportion of the county charges for the year ended the 31st July last?—Yes.

355. For the auditing of your accounts you paid the Local Government Board £11 10s., and to the clerk of the peace for duties connected with the borough registry you paid £15?—Yes.

356. You are not the clerk of the peace?—No; the clerk of the peace is Mr. King.

357. Is he town solicitor too?—No; he is a private gentleman. The deputy clerk of the peace is Mr. Lowe.

358. Your printing and stationery came to £22 1s. 3d.; your law expenses to £4 17s. 1d.; the rates and taxes paid by you, inclusive of tide-charge to £47 18s. 4d.; the repair of houses and stalls to £17 1s. 3d.; and the interest charged by the treasurer on overdrawn account to £9 14s. 4d.?—Yes.

359. Did the auditor disallow that last item?—No.

360. Did he say he would disallow it for the future?—No.

361. You say £17 1s. 3d. was for the repair of the stalls in the market. I see no market receipts?—We have no market receipts; these stalls are the property of the Commissioners.

362. These appear in your weekly rents?—Yes.

363. You don't receive any tolls?—No.

364. At the time of the Commissioners' report in 1835, I was pretty sure they mentioned that the old Corporation were in possession of the tolls?—They were, I believe.

365. What became of those tolls?—They are now in the hands of Lord Enniskillen.

366. Were they sold by the old Corporation to Lord Enniskillen, or subsequently to the report of 1835?—I really do not know.

367. Mr. LAWRENCE.—What are they for?—Sales of butter, pork, flax, potatoes, flour—anything of that sort.

368. Were they under an old patent?

369. Mr. JORDAN (Chairman of Town Commissioners).—Here is an old document in which the burgesses took the tolls for the year from Lord Enniskillen. They belonged to the burgesses first, but they were induced to take a lease of them for a year from Lord Enniskillen, and that was afterwards relied upon against them as an admission of his title.

370. Did the question of these tolls form part of

the subject-matter of the litigation between Lord Enniskillen and the old Corporation?—I don't know.

371. As a matter of fact, the Commissioners have not received any tolls since 1841 at all events?—Oh I think not. Since 1840 when they were appointed, the Commissioners received no tolls of any kind.

372. Are tolls collected by you in Enniskillen in the market and fair-ground?—Yes.

373. I see the fair-ground was let to Lord Enniskillen for £34 10s. a year by the Commissioners in July, 1865?—Yes.

374. Had the fair-ground been part of the subject in dispute between Lord Enniskillen and the Commissioners?—Yes.

375. It was subsequently let to Lord Enniskillen on seventy-five years' lease at £34 10s. a year.

376. Does he levy tolls on the fair-ground?—He does, I think, at the gate of the fair-ground.

377. Mr. Corcoran.—The ground was leased to Lord Enniskillen. The Commissioners recovered it from

him. Afterwards they sold it to the railway company, and the portion not required by the railway company was bought back by the Commissioners, which portion they have now let to Lord Enniskillen.

378. Is that the only lease to which you had the sanction of the Lords of the Treasury?—I think we had their sanction for the gasworks also.

379. What is the rental value of property within the borough?—£11,173 4s.

380. What is the area of the borough?—314a. 2r. 14r. That includes water—portion of Lough Erne.

381. That is the exact area comprised in the Parliamentary borough also?—Yes, as I have it from the borough surveyor.

382. Do you know what it was before the Act of 1870?—No, I do not.

383. What was the population of the borough in 1871?—Nearly 6,000.

384. CHAIRMAN (referring to *Thorn's Official Abstract*)—9,836. Is that right?—I can't say.

MR. JOHN WRAY EXAMINED.

385. CHAIRMAN.—You say, I believe, the borough engineer?—Yes.

386. When were you appointed?—In the autumn of 1870, immediately after the passing of the Act. I think it was in October.

387. What are your duties?—To prepare all maps and plans of works to be erected within the borough, and superintend the working of them.

388. Are the streets under your charge or that of the town engineer?—Chiefly under that of myself and the town engineer.

389. Are they subject to your direction?—They are.

390. When you were appointed what was the state of the drainage of the town of Enniskillen?—It was in a tolerably tidy state in certain areas in the town, but certain other areas were entirely without drainage.

391. Have there been many new sewers constructed during the six years you have been in office?—A considerable number of drains have been made.

392. Can you tell me shortly what work has been done in the way of main sewers?—In the case of the one particular section of the town I have referred to as having been badly off for sewerage, it has already been drained. Strand-street—there are two streets of that name—May-street, Abbey-street, Dolly-street, Head-street, and Half-a-horse, all situated in the one particular section of the town, are also now thoroughly drained, and every house has now its connecting drain with the main sewer.

393. Have all the main drains been made under your superintendence?—They have. There are other places where sewers have been made, but they are not in that district.

394. Is there much more work of the kind remaining to be done in the town before it is completed?—There is.

395. What has been the outlay on sewerage works since you have been appointed?—For the sewerage works and the reformation of the streets a sum of £1,592 9s. 3d. has been presented for.

396. Mr. LAWLER.—Since what time has that been expended?—Since 1871.

397. CHAIRMAN.—You are executive sanitary officer as well as borough surveyor?—I am.

398. All the reports, therefore, from the sanitary officers pass through your hands before they come to the Commissioners?—Yes.

399. Were the houses well provided with subpits and privies when you became the engineer of the borough?—Very badly.

400. Are they better provided now?—Very much better.

401. Has that been in consequence of the action taken by the Corporation?—It has; the improved condition of the town is chiefly in consequence of the main sewers.

402. Were the main sewers made at the instance of

the Commissioners?—Yes; there are copies of the notices served on the owners.

403. Have you generally found the owners willing to construct these sewers without legal proceedings?—I have very rarely been obliged to take legal proceedings.

404. Have there been any instances where they have been constructed and then clamped to the owners?—No; but there have been instances where people have requested the Commissioners to construct them and charge the owners.

405. Have there been complaints of the want of subpits?—There have not; but in consequence of the state of the service drains they were subpits themselves.

406. How is the nuisance removed?—In every case by the inhabitants themselves.

407. Do they, as a rule, keep their yards and back premises clean?—They do.

408. Is there a thorough inspection of them?—There is, by the town surveyor; he keeps a book, and in this book he enters all the houses visited by him day by day, and every day he submits the book to the chairman of Town Commissioners; then the whole of the reports for the fortnight is read out before the meeting of the Sanitary Commissioners.

409. Is there a sanitary committee, or is it to the whole body of the Commissioners the report book is submitted?—To the whole body of the Commissioners.

410. Are then the reports of the sanitary officer as well as of the sub-sanitary officer presented by you?—Yes. First I should state, if the sub-sanitary officer finds serious cause of complaint he reports to the sanitary officer, who then inspects the place, and reports to the sanitary authority.

411. Does the sanitary officer attend the sittings of the Commissioners?—He does not; the executive sanitary officer does occasionally.

412. You always do?—Yes.

413. Does the consulting sanitary officer?—Occasionally.

414. Were those waterworks constructed under your supervision?—They were; I prepared the plans for them, and the works were constructed entirely under my supervision.

415. Are they under your supervision still?—Certainly.

416. As far as you know, are the inhabitants throughout the town now well satisfied with the supply of water?—Very highly satisfied.

417. Is it of good quality?—It has been analyzed by Professor Bunsen. I asked him if it would be necessary to have filters, and he told me the water was so pure it would be a waste of money. The water has a slight amount of colour, but that is diminishing.

418. Do you use that water for flushing the sewers as well as for drinking?—For flushing the sewers we have an unlimited supply at an elevation of 150 feet over the town.

EXAMINATION.

March 26, 1877.

Mr. J. Wray.

Cl. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

ENNISKILLEN
March 22, 1877.
—
Mr John
Wemy.

419. Mr. LAWLESS.—Have the Town Commissioners erected any public fountain for the people?—Oh, yes; they are bored by the Act of Parliament, I think, to erect them, and they have erected fifteen.

420. Do they erect watering troughs for horses?—They have not erected any yet. The waterworks company are under contract to supply twenty-five gallons per head per day supposing a population of 8,000, which is considerably greater than the maximum population of this town, which has never yet been 6,000, I understand.

421. Were you the engineer for the work done at the back of the town hall last year at a cost of £1,001?—Yes; I prepared the plans.

422. Is it your duty to see after any buildings necessary to be taken down for the safety of the inhabitants?—It is. I serve notice on the owners, and have them removed.

423. Have the Commissioners provided fire-plugs?—They have.

424. Are there fire-plugs at convenient positions throughout the town in case of fire and an ample supply of hose?—The supply of hose has never been found short, at all events. The fire-plugs are situated at intervals as nearly as may be of 200 yards, taking advantage of cross-roads. We have fifty-four plugs in the town.

425. There were certain building regulations provided by the Enniskillen Improvement Act. Have those been observed?—They have. I have called on the architect to lodge copies of the plans with the Town Commissioners.

426. And are they submitted to you?—They are.

427. Are these common lodging-houses in the town of Enniskillen?—There are.

428. And slaughter-houses?—There are.

429. Are they under inspection?—They are. The common lodging-houses have licenses from the sanitary authority, the slaughter-houses have not.

430. Are they not registered?—They are not.

431. Are you the inspector of common lodging-houses, or is the duty performed by the police?—It is performed by the police and the sub-sanitary officer.

432. Are there any by-laws for the regulation of lodging-houses issued by the Commissioners?—There are, and they have been approved of by the Local Government Board. Copies of these by-laws are handed to each owner of a common lodging-house, and he is under an obligation to keep them up.

433. Are the slaughter-houses, although not registered, kept clean so as not to be a nuisance?—They are reported by the sanitary officer to be clean at all times, but in my opinion they ought not to be in the town. There are too many of them in the town.

434. Mr. LAWLESS.—Are they under the inspection of the sanitary officer?—They are—of the sub-sanitary officer.

435. CHAIRMAN.—Where they are found to be in an improper state, is the matter reported to the Commissioners, and are steps then taken to remedy the nuisance?—In fact I do not know that they are ever found to be in an improper state.

436. Then was it merely on general principle that you suggested their removal from the town? Also they kept as well as they can be in your opinion?—Yes; I think so.

437. Do you find the Commissioners anxious to carry out the regulations provided by the Act of 1874 to the best of their ability?—Well, a considerable portion of the twenty-one Commissioners attend each sanitary meeting; in fact, it is the Commissioners who attend at the first sanitary meeting who attend all the meetings.

438. You have had no obstruction from them?—Not the slightest—every assistance.

439. Are the fairs confined to the fair-green, or are they held in the streets?—The cattle fairs are confined to the fair-green; but the sale of horses is not at all carried on in the fair-green, but on the public road—not in the town, but adjoining the inhabited portion of it.

440. Mr. LAWLESS.—Are the markets held in the town?—The markets for the sale of butter, dairy, and general farm produce, as well as pork and grain, are held in the market-place in Enniskillen; but there is what is called a "hump butter market," which is held in the public street.

441. CHAIRMAN.—Is the thoroughfare very much obstructed in consequence of that, and complained of as a nuisance?—It is.

442. Mr. LAWLESS.—Has there been no public market-place introduced into the town?—There is a place for a fair.

443. There is "hump butter," you say, sold in the street? Do the people pay any toll for that?—Not that I am aware of. They pay tolls to Lord Enniskillen for the weighing of farm produce.

444. But do they not pay tolls for anything sold?—They do not.

445. You pay tolls for live cattle?—Oh, that is on the fair-green; but we do not pay tolls on the public street.

446. CHAIRMAN.—Is there much additional work thrown on the scavengers by the horse-fairs being held in the street?—Not much.

447. Are the roads and streets, after these horse fairs are held always cleaned up next day?—When the streets are dirty the scraper and sweeper is always sent out, and they are cleaned.

448. Is the horse-fair a nuisance?—I have heard it described as dangerous to pedestrians, but beyond that I have had no complaint.

449. How often does it occur?—Once a month.

450. Are all the pigs, sheep, and cattle, sold within the limits of the fair-green?—Inside the fair-green.

451. Do you think the selling of butter in the street causes an obstruction and is a nuisance?—Yes.

452. Have any steps been taken by the Commissioners to have the nuisance removed?—There have.

453. Mr. CORSON.—Perhaps it is necessary to make you understand the butter-market. Those who buy need a store or room, and they cannot find any convenient place for such a house.

454. Mr. LAWLESS.—Have you found any difficulty with the owners of property in Enniskillen in carrying out any new arrangement necessary for sanitary purposes?—Scarcely any now. In the beginning I had some difficulty in getting them to make drains from their yards, but not now.

455. Have the owners of house property here been called upon to erect privies and water-closets?—I am not aware that they have been called upon to erect water-closets; they have been called upon to erect privies.

456. When they have been called upon have you found any difficulty offered by them?—Well, yes, but not much. The Town Council think that the privy itself, if not kept clean, a greater nuisance than the yard without the privy.

457. Is there a public burial-ground?—There is not.

458. What are the burial-grounds now used in this town?—There is only one—the churchyard.

459. Does that abut on the street?—It does. It is at an elevation of from six to twelve feet above the street.

460. Has the propriety, in a sanitary point of view, of allowing a burial-ground to continue in such a position, ever been the subject of inquiry or examination or discussion?—The sanitary and the executive sanitary officer reported on the impropriety of it, and the Commissioners have been negotiating with the owners of property about the town with the hope of getting a public cemetery outside the town.

461. CHAIRMAN.—Have you had any answer to your application to the Local Government Board?—Oh, yes.

462. What is the state of things now?—Nothing has been done. Some of the owners asked such high prices that the Commissioners abandoned the idea. In another case, however, Lord Enniskillen offered a piece of land at a low price, but there were objections to the plan.

Mr. EDWARD SMITH examined.

463. Are you Lord Enniskillen's agent?—I am, and I attend here at his request in case the Commissioners might wish to ask me any questions.

464. We learn that the fair-green is held by Lord Enniskillen under a long lease from the Commissioners. Is that so?—Yes.

465. Are all tolls levied on the fair-green and mortgage the property of Lord Enniskillen?—Yes.

466. Are they received by you on Lord Enniskillen's behalf?—Yes.

467. Why are houses not sold on the fair-green but on the streets or roads?—The area is so small there is no room at present for the houses. We were thinking, some time ago, of taking additional land and making a horse green, but the situation is too low and subject to flooding.

468. Are the tolls the same as those levied by the 44 Corporation?—I don't know what the tolls of the 44 Corporation were.

469. How long have you been agent to Lord Enniskillen?—Fourteen years.

470. Do you know the circumstances under which

Lord Enniskillen obtained the right to the tolls he levies at the fair-green?—I don't know anything about them.

471. You heard the last witness say the butter-market is a considerable obstruction; is that the fact?—On Thursdays it is a considerable obstruction. We are negotiating at present about it, but there is a great opposition from the inhabitants from that side of the town; they petitioned Lord Enniskillen to leave them, as their removal would draw away a great number of his customers from that part of the town where they are at present—in the west end of the town.

472. Who are the persons who appear to be principally interested in keeping these fairs in that part of the town?—The shopkeepers.

473. Not the publicans merely?—No, the shopkeepers.

474. Mr. LAWLESS.—They are not the butter sellers or the butter buyers, who object to the change?—Certainly not the butter sellers, because they have only a little distance to go to their market.

Mr. HENRY LOWE examined.

475. How long have you been agent to the Town Commissioners?—Since 1871.

476. Is your duty confined to receiving the rents?—Just receiving the rents.

477. How often do you pay those rents over to the treasurer?—Twice a year.

478. Only twice a year?—I lodge the money from time to time at the bank.

479. Which of the banks is treasurer?—The Ulster Bank.

480. Do you give security?—Yes in £500.

481. And what is the largest amount you are supposed to keep in your hands, or does your bond limit the amount to be kept in your hands?—Well I think not. There is something in the Act of the 9th Geo. IV. to the effect that the collector is not to keep in his hands more than £100; but I have never had £100.

482. The rental is paid half-yearly. What is your date for collecting the rental?—The 1st of May and 1st of November.

483. Can you tell us when you closed last November what arrears were outstanding?—The arrears upon the half-year's rental was £16 18s. 3d., for the half-year ending May, 1876.

484. It does not often exceed that?—No. There is £10 in the last half-year's rental, money which I refused to take from a tenant as rent as his lease was at an end, until the Commissioners could settle the rent.

485. So that the arrears only amounted to £8 18s. 3d.—£8 18s. 3d.

486. What were the circumstances under which you refused that £10? This was a lease granted in 1833, to George Irvine for his life, and thirty-one years after his death; the rent during his life was to be £9 4s. 7d., and at his death to be decreased to £51.—That was the first time I heard these strange terms.

487. According to him there were two years' rent due?—Well, no; the rent was £9 4s. 7d., and it came up to so much as £10.

488. Mr. LAWLESS.—What became of the dispute?

Mr. SMITH replied.

489. Do you know the land in Kilmacoo?—Yes.

490. Is the land worth more than £1 an acre?—It is generally worth more than £1 an acre.

491. Is Griffith's valuation above or below the real

value?—The dispute has never been settled yet: it stands in the same way still.

492. Has the subject been before the Commissioners?—It has, and they are about to take the opinion of Council.

493. Then the weekly and monthly rents are not paid up quite as well?—Well they are paid up pretty well; but the monthly rents are accounted for one half-year in advance of the yearly rents; for suppose I settle this account in December; it accounts for the rents of the weekly tenants up to November, 1876. Sometimes there is a little less in the monthly tenants' rent; sometimes they abound.

494. Is it your duty to see their houses are kept in a proper state of repair?—No, it is Mr. Wray takes that duty.

495. Do you collect the water-rates?—No, I collect nothing.

496. You know of the leases of Kilmacoo?—I do.

497. We have heard of two leases in Kilmacoo, consisting of twenty-three and twenty-eight acres respectively. The lands are about 122 statute acres. I want to know who holds the rest of the acres? Are those "twenty-three" and "twenty-eight" acres lots Irish acres?—They are.

498. Well then we have heard substantially concerning about two-thirds of the whole property. Are those two holdings of James Lytle and James Lytle, junior, yearly tenants?—They are.

499. Are you very well acquainted with the letting value of land in that neighbourhood?—No; I never was on the land in all my life except once when there was a dispute between two tenants.

500. How far do the lands lie from Enniskillen?—About three or three and a half miles. There are three yearly tenants, and two holdings under one lease, and one holding under a lease.

501. CHAIRMAN.—Can you tell me what those five holdings in Kilmacoo produce annually?—£281 18s. 3d.

502. What was the Government valuation? Griffith's valuation in 1840 was £29 18s. 3d., and now is £33 3s. 3d.

Mr. SMITH replied.

503. Letting value?—Below, I should say—about 25 per cent.

504. Mr. JORDAN.—Kilmacoo is about the worst land in that neighbourhood.

Mr. LOWE's examination resumed.

505. CHAIRMAN.—Will you give us now, if you please, a list of Captain Colman's holdings as I asked you. Witness.—There is a house in Belmore-street in the town, in the occupation of a man named Shannon

who holds under a lease made on the 31st March, 1875, for seventy-five years (this is the renewal rent you heard of), at a rent of £4 a year.

506. Was the lease made to John Colman?—Yes.

EDWARD SMITH,
March 20, 1877.
Mr. Edward
Smith.

Mr. Henry
Lowe.

Mr. Smith.

Mr. Lowe.

DEVELOPMENT.
March 25, 1875.
Mr. Henry
Lowe.

Mr. Collins died in December, 1875. The next is a lease of several pieces of ground in Belmore-street, opposite the Fair-green, held on a lease of seventy-five years, which you had here before you today. It was made in 1849, under consideration of the surrender of the old lease of 1830, at a rent of £16. The next are the premises in Belmore-street, at present in the occupation of McGinly and McKenna. In the printed rental prepared some ten years ago, as Mr. McKenna described, these are held under a lease not forthcoming. The rent is £5 15s. 3d.

506. Have you ever applied to Captain Collins?—No.

507. And you don't know what these houses are let for?—No; but they are pretty valuable houses. They would not at £13 or £14 each probably, or more than that. The next are premises in Belmore-street, on which there is at the present time standing an hotel. It was a building lease granted for seventy-five years to Matthew McDonnell, of the Railway Hotel—a lease granted in 1850, at a rent of £4 6s. 6d. The next is the premises in Paget-street that you have described, where the pig-market used to be held formerly. That lease is not forthcoming. It is stated there is a lease of the premises.

508. Who states that?—I believe Mr. Collins stated it. I believe there is a lease. The late Mr. John Collins told me so.

509. Did he ever show it to you?—I don't recollect ever seeing it.

510. Did you ever ask to see it?—No; I am sure if I had I have seen it.

511. Mr. CURRAN.—Under what circumstances did he state that in connexion with the lease?—The circumstances were on the occasion of some person who was a witness to the execution of that lease by Mr. Eadie making an affidavit before me as Commissioner in Chancery. I happened to make the inquiry, what were the premises, and I was told they were the premises in Paget-street.

512. Mr. LAWRENCE.—How much rent does Mr. Collins pay?—£7 a year.

513. What is the position of the property for which Mr. Collins pays the £14 a year?—Mr. Barragh's property and Mr. Collins's are mixed up, or dovetailed into each other.

514. However, there is no doubt it is worth a great deal more than £7 a year?—No doubt about that.

Mr. JEREMIAH JORDAN, Chairman of the Town Commissioners, examined.

520. CHAIRMAN.—When the town clerk was under examination inquiries were produced which contained resolutions brought forward with regard to the letting of any lands to members of the Corporation, and with regard to the surrender of leases that were still running on, with the view to granting fresh ones?—Yes.

521. Were you chairman when any of those resolutions were passed?—No; I was not a Commissioner either at that time.

522. When did you first become a Commissioner?—I think about the year 1870, since we got the Borough Act.

523. In this schedule which was furnished to me by your town clerk, there is only one person's name down as being connected with the Corporation in any way to whom a lease was granted since 1850—a Mr. Richard Bell, who is described as the father-in-law of a Town Commissioner. Was that before your time?—Yes.

524. Has this question about letting to anyone connected with a Town Commissioner arisen in your time?—Not directly. It seems at one time to have been taken for granted that any person connected with the Commissioners should get a lease.

525. The question, you say, has arisen incidentally in your time?—Yes.

526. How?—In the case of a lease to William Coulter.

527. About the building ground in Toney-street?—Yes.

515. Exclusive of Mr. Collins's improvements?—Yes. The next is the strip of land in Derryquinn-lane, held under lease for seventy-five years.

516. What is the date of that lease?—The 2nd June, 1855.

517. What is the rent?—£2.

518. Is that the strip of land where there was a dispute, and where he consented to lay out £30 on the building which has not been done?—That is it. The next is the gateway held in Paget-street as yearly tenant—the right to pass through the gateway in Paget-street—which he pays £2 a year for. The next is the lease of premises in the occupation of Charles Irvine, made to him by Feth, on the 28th July, 1852, at a rent of £2.

519. Is Captain Collins residing in Banickfield?—He resides at about two miles from it.

520. Because if Captain Collins were in the neighbourhood it would be only fair to give him an opportunity of seeing here to-morrow morning. I wanted to know whether in any way Mr. John Collins was connected with the lease to Feth, or whether his name in any way appears in it.

521. FETH.—Not that I know of. (Lease produced.) It was Mr. Archibald Collins prepared the lease.

522. CHAIRMAN. (Having examined lease).—He signed it as a witness on behalf of the Commissioners, and it is indorsed by him as a solicitor also?—Yes.

523. Mr. LAWRENCE.—Do you know how long Mr. John Collins was paying the rent reserved by this?—Since I have been agent. The next is the lease of the premises in Gas-street made to Mr. William Armstrong for thirty-one years from 1860.

524. Does Captain Collins pay the rent for that?—He does.

525. What is the rent reserved?—£8 10s.

526. What do the premises consist of?—Of houses.

527. Have they been built under the lease since the lease was executed, or were they in existence when the lease was executed?—I can't tell you. The premises were leased to William Armstrong. He got into difficulties; and they were auctioned in the Landlord's Court, and Mr. John Collins purchased.

528. Mr. LAWRENCE.—In what year?—About ten years ago, I suppose.

529. Did the late Mr. John Collins up to his death pay the rent for that time?—He did. (Lease handed in.)

Mr. JEREMIAH
Jordan.

530. Was he a Town Commissioner?—No, but his brother was.

531. Was the question raised at the time as to his getting a lease, he being a brother to a Commissioner?—The committee recommended that a piece of ground (it was a piece of angular shape), leased to William Coulter should be, if possible, leased to James Coulter, the Commissioner, because it was adjacent to his other land and the building that he had, inasmuch as no one would take the ground. They therefore recommended that if there was any possible way in which it could be given to him that he should be asked to take it.

532. Was that the land which was advertised for sale and for which no one would make an offer?—Yes. The remaining part of it has been since advertised, and no one but Mr. Stewart has bid for it. There is still a large portion of it which we would be glad to let.

533. Then I suppose William Coulter took it on behalf of his brother?—He took it directly himself. I do not know if there is a conveyance from one to the other.

534. Was it thought he should have an offer of the ground, as no one would come forward to take it?—We thought it would be a good thing to have the ground built on, and as he was there, and had large buildings near it, we thought he would be most likely to take it up.

535. Was William Coulter asked to take it, or did he come forward and make an application?—I cannot

tell you that. It was taken in some form or other by him.

544. At what rent?—2s. per foot. We had asked 4s. and 2s. 6d., and could not get it, and we were desirous that it should be built upon.

545. Coulter's rent is £3 5s. 3d.—Yes. I may say that Mr. Stewart has a very large rear as compared with Mr. Coulter. No person would have built on both sides of it except some one who had houses built there on both sides.

546. Relatively it was quite as good a bargain to Coulter at 2s. 6d. as to Stewart at 2s. 1.—Yes.

547. Have you, since you have been a Commissioner, advertised publicly for letting by auction any property that had fallen out of lease?—No part has fallen in since I have been a Commissioner that I recollect but the ground in Bolmer-street. It was put up to public tender and competition, and three tenants were sent in for it.

548. Is that the only old lease that has fallen in since you became a Town Commissioner?—Yes. Grant numbers of the old leases were cancelled, and seventy-five year building leases given, so that they were prevented from falling out of lease. The only other ground that we advertised was the remaining portion of the ground connected with Coulter's. Up to the present we have not been able to succeed in getting it built on.

549. How long has that ground been unproductive to the Commissioners?—Since before I became a Commissioner. There was a tenant of a house that had that garden attached to his premises.

550. Do you know what was paid for that house and garden?

Mr. Lewis.—£3 a year. We are trying now to set some of it for 2s. 6d. per foot.

551. CHAIRMAN (to Mr. Jordan).—What was the extent of this unproductive piece of ground?—About half an acre.

552. Can you say, speaking for the Commissioners now at all events, whether or not, if any property fell in, they would take steps to advertise it and invite tenders for it before letting it to any person?—I think that at present the disposition of the Commissioners would be not to let property by public competition, but if the tenant of the property wanted upon it to give it to him at a fair letting value, and to recognise his tenure in the place.

553. Give him the preference?—Yes, fully the preference.

554. Would the Commissioners get a valuation made by some competent valuator?—I think they would, because the property should be valued relatively. They should be valued relatively without employing any other valuator than our own surveyor. With reference to Kilnabee, we thought it was let at a rather high rent, and that they were entitled to better accommodation. It would improve the property in the first place, and in the second place the people were under very great disadvantages. I have ridden through it in the winter time, and my horse went up to the knees. The people, to go out, must trample on other people's property. We would have been going in as landlords to get this land made into a public road.

555. Were there not several long leases granted previous to 1840?—I know nothing as a matter of personal knowledge, but merely as I have gleaned from documents, and if you wish I'll tell you what I have learned in that way. The books and minutes of the jorneys and burgesses are not in our possession, but, rightly or wrongly, it is stated that they are at Florence Court with Lord Enniskillen. Hence we have no direct means of information in reference to the abolition of provisions, their tenure of office, doings, &c.; but we hold old leases signed by Charles Ovenson as provost, purporting to be made in the years 1831, 1833, 1835, and 1839, and we also hold leases signed by Hamilton Irvine as provost in each year from 1831 to 1840. We also hold two leases in

1838, dated on the same day—24th June, 1838—one signed by Charles Ovenson as provost, and the other by Hamilton Irvine as provost.

556. Mr. LAWLER.—To whom were these leases made?—I will tell you in a moment. In the litigation with Lord Enniskillen for the recovery of their property, it is said that the Commissioners of the borough gained the Fort-hill, the fair-green, the town hall, &c., but that they lost the tolls and customs by the acceptance of a considerable lease by the then burgesses from Lord Enniskillen for one year—the year 1838—thereby admitting his right to let the tolls. The shambles and other property in the pig market were also lost to the Commissioners and retained by Lord Enniskillen in some curious and unexplained fashion. On the one side of the pig market he built on the Commissioners' property, and on the other side Mr. Collum has built on the Commissioners' property. The shambles covered a very large area, and at the time the old Corporation became defunct the property was vested in the Poor Law Guardians, who failed to pay the rent to Lord Enniskillen for this portion of the property, and he served them with an ejectment, and ultimately deposed them and took possession. From that time all litigation was allowed to expire. That is the way he got possession of it, and there were difficulties in relation to that portion of the property that did not exist in relation to other portions recovered from the Town Commissioners by Lord Enniskillen or his family.

557. Was that between 1840 and 1846?—Yes.

558. CHAIRMAN.—Was any question raised with respect to that property at the time of the law suit?—There were no regular proceedings taken. The property now built upon belonged to the old Corporation, and should have belonged to us, because it was never purchased from us and never leased from us.

559. Do you say that it has since passed out of the hands of the old Corporation into the hands of Lord Enniskillen without either lease or purchase?—Yes. From the year 1836 to the year 1840 the then provost and burgesses of Enniskillen (whether in continuation of the statute of 1836 remains to be determined) leased or jocked away the greater part of the corporate property to relatives or friends; and I find on examining the leases and documents in our possession that of those leases—from 1836 to 1840—the following are either cancelled, surrendered, or lapsed—namely, about one lease made in the year 1836, three made in the year 1837, eleven made in the year 1838, and four made in the year 1839, and also two leases made in 1848. These have all been either surrendered, cancelled, or lapsed; and of leases made during that time (between 1836 and 1840) there exists in force, as against the Town Commissioners, the following—namely, about twenty-one leases made in the year 1838 for three lives or sixty-one years, the dates and terms in several of them being erased and re-written; twenty-one leases made in the year 1838, dated 25th September, 1838, and all for three lives or sixty-one years; one in 1839 for three lives to Hugh Collum, but cancelled, and a new lease made to John Collum, four in 1839 for three lives or sixty-one years; eleven in 1840, dated on the back 25th September, 1840, but in the body of the lease dated 25th September, 1839.

560. Are those leases made in 1838 and 1839 still running against you?—They are still in existence.

561. Are they chiefly of premises in the town?—They are all in the town, except Houston's or Maguire's in Kilnabee. Besides those just mentioned we are in possession of the following old leases unexpired, and lying against us, or said to be so, namely, about one lease made in the year 1832, to George Woods, for 1s. a year for the life of George Irvine, and for an additional term of thirty-one years after his death at an increased rent of £3 per annum. He died lately. George Irvine was at one time chairman of the Corporation. We have also a lease made in the year 1833, purporting to be signed in that year by Charles

EVVINGHAM.
March 21, 1877.
Mr. James
Sullivan

Ovenden as provost. We believe that Charles Ovenden was not provost in that year, and that those leases are all made on covenants. We believe that Hamilton Irvine lived up to 1839, and that Charles Ovenden succeeded him as provost, and yet he signed a lease made in the year 1833. They had power to lease the property up to 1836, and in 1839 they antedated the leases.

552. CHAIRMAN.—Were those leases made to persons who were in the Corporation at that time?—They were all burgesses.

553. And they were at annual rents?—Yes; some of them at 1s. Some of them were made over a pepper-corn in the year. There was one made over to one of the Colles, at the yearly rent of a pepper-corn in the year, that is recovered. Here are two leases which are signed by the two provosts on the one date. (Hands in leases.)

554. These leases are both purporting to be signed on the 29th September, 1838. The one is signed by Charles Ovenden, provost, and the other signed by Hamilton Irvine, provost?—Yes.

555. I see there has been an error in one of them?—Yes; the question is whether the burgesses had power to make leases from 1836 to 1840 or not.

556. In this one which is signed by Irvine as provost, the date is filled in as 1838, and that would be subsequent to the restraining statute. This is to William M. Coffey. Was he a member of the Corporation?—No.

557. And this other one is to James Lowry?—He is a friend of a member of the Corporation, I think.

558. Now there is a query as to who holds these premises. I suppose you know now who holds them?—We do.

559. There is one lease here, which is indorsed on the outside 29th September, 1840, and inside it is dated 29th September, 1830, and then there is something written, which I think is 1834, it has been erased; but the last figure looks like a 4. It is signed by Hamilton Irvine, provost, who signed the one in 1838. This is a lease to Elisha Moroney?—He was a burgess at the time, and that lease is still in being.

570. It is at the yearly rent of £5 sterling?—I notice that the lease is still running against us.

571. Mr. LAWLESS.—The desired premises consist of two dwelling-houses, offices, and gardens. What is the value of that now?

Mr. LOAN.—There is one house in that lease which is now set at £20 a year. The other was given by Elisha Moroney to a house-keeper for her life. I believe she set it at £10 a year, but subsequently sold it.

572. Who got the field?—The field is worth at least £5 a year. £5 was offered for it sometime ago, and it would not be accepted, but it is now let at £5 a year.

573. The lease, I see, is for three lives or sixty-one years, the same as the rest?—Yes.

574. I see that the leases were prepared by Mr. Chadwick. Was he solicitor to the old Corporation?—Yes. William Irvine, who was solicitor and clerk of the Crown, was got to approve of the leases, and he is brother to George Irvine, to whom one of these beneficial leases was made.

575. Do you find a lease to Mr. James Jeffries amongst the others?—Yes; there are several old leases that Mr. Jeffries got cancelled and new ones granted.

576. Was he a member of the old Corporation?—No; but he was a nephew of John Collins's.

577. Mr. LAWLESS (to witness).—Do you know whether since the present Commissioners came into office, since the year 1846, any practice prevailed of making leases of the corporate property to gentlemen who were members of the body of Commissioners?—I am not aware of such practice beyond what appears in the records.

578. CHAIRMAN.—I find this notice of motion served on the 13th October, 1856:—

"I will at the next day of meeting propose that no member of this body will take or ask for any lease of any property belonging to the Corporation."

"Signed,

JAMES CROOK."

And I find on going a little further on in the book the following resolution on the 5th December, 1856:—

"Proposed by Mr. James Crook and seconded by Mr. James Graham, that no member of the Town Commissioners will take or ask for, any lease of the property of the Borough of Ennis, nor be the proposer of the Town Commissioners, either by lease or otherwise."

Ennis voted for that resolution, and five against it. I find also, that exactly three years after the passing of that resolution, at the meeting on the 5th December, 1859, at which a large number of the members attended, the following notice of motion was handed in:—

"I will at the next day of meeting of the Town Commissioners, propose that the resolution bearing date the 5th December, 1856, prohibiting any Town Commissioner from taking a lease of Corporation property, be rescinded."

"Signed,

GEORGE BLACK."

Witness.—That notice of motion was never carried out.

579. The proposition did not come to a vote?—No, 580. In fact the resolution which was passed prohibiting any member of the Town Commissioners from taking a lease of corporate property is standing unrescinded on the books?—Yes.

581. The only lease actually made to a Commissioner was that in 1843 which was granted to Mr. Leman?—Yes.

582. Mr. LAWLESS.—On the 6th December, 1858, I find the following resolution:—

"Resolved.—Proposed by Mr. William Crook and seconded by Mr. George Black, that hereafter no existing lease of Corporation property now in the hands of the Town Commissioners be cancelled nor any new lease granted except when the old lease expired. This resolution is not intended to affect the proposition of Mr. Tobin in reference to his tenement as now on record in the minute book. Passed unanimously."

583. CHAIRMAN.—There was a notice of motion given by Mr. George Black which was never proceeded with, so that the resolution prohibiting the granting of leases to members of the municipal body stands unrescinded at the present time.

584. Mr. LEMAN.—I bought that field by purchase from Copeland.

585. Mr. LAWLESS.—When?—When he left the country and went to Australia. I was to get an assignment from Copeland. He made an arrangement with the Town Commissioners that he was to get the old lease cancelled and a new one made for thirty-one years. Mr. Collins suggested that it would be cheaper for me to join with the Commissioners and charge for us all. I never asked any favour from the Commissioners. The lease for thirty-one years was promised to Copeland before he sold it. Instead of getting an assignment from Copeland I joined with the Commissioners in giving a lease.

586. For the purpose of saving expense?—Yes.

587. CHAIRMAN.—Then he got a lease, and you bought his interest?—He did not get a lease. He had got the promise of a lease.

588. And you bought his promise of a lease by getting the auction?—He was to get a lease from the Town Commissioners, and I purchased his interest in it.

589. You purchased his equitable claim on the Corporation for a lease?—Yes.

590. Do you remember how much you paid him for it?—I think £35.

591. I should like to know how what you bought was described at the auction?—Mr. Copeland said that the Commissioners had promised him a lease.

592. Had he any agreement with the Commissioners about getting a lease?—He had not; he simply had a promise from the Commissioners.

593. What did you give him for this valuable chattel?—£33 or £35.

594. For the premises of the lease?—Yes.

595. You being a Town Commissioner at the time?—Yes, I was a Commissioner at the time.

596. Witness.—There is another lease in 1833 to Gorge Irvine, purporting to be signed by Charles Overdon, as proved, for the life of Gorge Irvine, at the yearly rent of £9 4s 7d, and for an additional term of thirty-one years after his death, at a decreased rent of 25 per annum. Only for the hutch that took place we could not have known anything about it. There is evidence on the face of it that it was not executed till 1837.

597. Mr. LAWLESS.—This is a lease dated on the 24th June, 1833; the burgesses of Enniscliffon on the one part, and Gorge Irvine on the other part?—It is for the police barrack.

598. It is for the life of Gorge Irvine, from the date of the lease, at the yearly rent of £9 4s 7d, and for thirty-one years after the death of Gorge Irvine, and rent to be reducible to £5 on the death of Gorge Irvine. The thirty-one is written on an erasure, and although the lease bears the date of the year 1833, it appears from the printed memorandum that the paper was used by the Commissioners of Stowage in the year 1837. The lease is signed by Charles Overdon, as proved?—That was partly the reason of our coming to the conclusion that Charles Overdon was not proved till 1837. We had no record, and we could only arrive at it by inference.

599. That is now the existing lease and the tenant's claim to be entitled to pay only £5 from the death of the life?—Yes.

600. What is the rent of the police barrack?—£36. There was another lease in 1834 to Robert Koye, esq., solicitor, for the life of Samuel Beatty, and for sixty-one years after his death at £2 2s. per annum. That lease is running against us now. I only wish to show you the way in which the old burgess and Corporation did away with the property that ought to be ours now. There is no lease to Mr. Arthur of three houses, as derived from Mr. Lemon, but it is fair to say that Mr. Arthur is paying 30s. a year of ground rent to the Commissioners as consideration for the breaking of an old lease and making a new one.

601. Mr. LEMON.—Mr. Arthur pays £1 10s. a year because of the premises to make a new lease.

602. Mr. LAWLESS.—I find the following on the books:—

* 5th December, 1839.

"I propose to pay the sum of £1 10s. for that plot of building-ground in Toneyrick, near the railway bridge, for putting a building lease, say, for seventy-five years."

* Signed, WILLIAM ARTHUR."

I also find this resolution—

* Proposed by Mr. Root, and seconded by Mr. John Parkinson—

"That the proposal for a building lease for that plot of ground situated in Toneyrick, at the yearly rent of £1 10s. be granted, on Mr. Lemon's handing over to the lease of said premises to be cancelled in legal form, and also the lease given to Mr. Beatty. All expenses of carrying out these arrangements to be borne by Mr. Arthur, and the lease to be executed in due time."

Witness.—All these conditions failed to be carried out.

603. Mr. CARRON.—Except the payment of the £1 10s.; that has been fulfilled.

604. CHAIRMAN (to Mr. Jordan).—Did you authorize your agent to receive that £1 10s.?

Mr. LEMON.—It is on the printed rental which I received.

605. CHAIRMAN (to Mr. CARRON).—How long were the buildings there before this application was made?—They were there a long time, and the owner refused to sell them. Mr. Arthur purchased from Mr. Beatty his interest (of course being aware of the promise to give a lease), and immediately after purchasing he applied to the Town Commissioners for the new lease. Some of the Commissioners were against it, and the

matter was disputed for a long time, but ultimately the majority of them agreed to grant that lease, which, however, was never executed. It was proposed and brought before the Board on one occasion, but as the old lease was not surrendered it was not signed. Since then I have not heard anything about it.

606. Since November, 1873?—Yes.

607. Witness.—Mr. Carron went out of office in 1873. There is a resolution of that date.

608. Mr. LAWLESS.—That is the resolution of 3rd November, which we have already seen. Mr. Lemon did not come in and surrender his lease?

609. Witness.—He surrendered the lease on condition that he would still have the benefit of the lease.

610. There was no deed of surrender?—No; he merely handed over the lease.

611. Were any instructions given to your agent to receive that 30s. a year?—Not that I know of. There is no lease of the property held by John Collins in the pig-market or Fagot-street. If there ever was, it has been removed from our papers, but what I am informed is, that leases of the premises were made to Edward Harry Esch, when he was a Commissioner or Chairman of the Town Commissioners, and that the lease was conveyed by him to John Collins.

612. Was Collins agent then?—No; it was afterwards that he was agent.

613. When do you suppose it was conveyed to Ennis?—We have no trace of the transaction.

614. When do you suppose it was assigned to John Collins?—About the year 1832. The committee waited on Mr. John Collins, and asked him to produce the lease, but so far as I know he did not do so. We knew nothing more about the matter. The other lease belonging to Mr. John Collins of a house in Belmore-street is not forthcoming. I do not know anything about these premises. We have to complain that these papers disappeared from time to time; that we are not able to lay our hands on such valuable documents. With reference to the subject of the inconvenience and loss to the Commissioners from the disappearance of documents—I may say that the lease to the gas company was filed (if I may use the word) the lease and papers by which we know our powers. The gas company sought a Bill from Parliament, by which they put us to very great expense, for it was only at the very last moment, when we were going before the House of Lords, that the lease was produced by Mr. Archibald Collins.

615. Mr. LEMON.—It was the tenant's part that was produced; the House of Commons having got it from the tenant.

616. WITNESS.—Probably it was wise to produce the tenant's part and not the other. At all events, we have not got the counterpart. With reference to the hump butter-market, I say that it is a very serious inconvenience—a dangerous inconvenience and obstruction. A man was very nearly being run over by a cart there not long ago. The side-paths are cramped with the goods. We have been trying for the last ten years to induce Lord Enniscliffon to bring that butter-market down to his central markets in the town where he has quite room enough. There are only a few persons in that part of the town who object to its removal. Only one of the respectable shopkeepers, not engaged in the liquor trade, would object. Of course there may be a few others, but I am not aware of it. There is, however, another matter behind that, Lord Enniscliffon has a number of stores at the end of that street which are let to baysmen, and very probably he wishes to have those continue rented as they are now. There is also a tenant or two of Lord Enniscliffon's who also let stores there. Then as to the cemetery, we have spent, I suppose, nearly one-third or one-fourth of the time of the Sanitary Board in discussing matters connected with the cemetery. Lord Enniscliffon offered us land at a very moderate cost.

617. Mr. CARRON.—There is a very general objection to the quality of that land offered by Lord Enniscliffon because it was formerly a place where only paupers

ENNISCLIFFON.

March 22, 1877.

Mr. Jordan.

Mr. Jordan.

1-5000000.
March 21, 1877.
Mr. Jeremiah
Jordan.

were buried. The sanitary officers have condemned the present cemetery as unhealthy.

618. CHAIRMAN (to Mr. Jordan).—Do the Commissioners of Enniskillen hold any fund as trust for any charitable institution of any kind?—I have never heard of it.

619. How long have you been a member of the body of Commissioners?—Since 1870.

620. Do you know of any fund either of land or money being vested in the old Corporation or in the present Commissioners?—I think there never was any money vested in the Corporation, but I know there was a fund. I do not know what it was for, or in what it was vested.

621. Mr. Trimble.—Mr. White and Mr. Cook hold it.

Mr. James
Coulter, &c.

Mr. JAMES COULTER, &c., examined.

625. CHAIRMAN.—Are you a Town Commissioner?—Yes.

626. And a borough magistrate?—Yes.

627. You are a brother of Mr. William Coulter?—Yes. The place which has been referred to has been advertised publicly again and again. On one occasion there was a tender of 1s. 4d. per foot put in, and I called a man aside and said, "Offer 2s. per foot for it." That offer was not accepted, and the place was advertised for another month. At the meeting of the Commissioners at the end of a month, my brother put in a

625. CHAIRMAN.—Did they hold it as members of the Corporation?—No.

628. Mr. LAWREN.—The trustees of this fund were not trustees in their character of Commissioners?—No.

624. CHAIRMAN (to witness).—Do you, as the chairman of the Town Commissioners, take an interest in the working of the Sanitary Act in this town?—Yes; irrespective of the ordinary routine, the sanitary officer brings me the report of his daily inspection. We have divided the town into districts, and I go over the spot-book and initial it. Hereafter the houses come a week, and on the day he does so he brings me his book with the result of his inspection. The Commissioners rival each other in carrying out the Sanitary Act in making this borough (so far as the funds will allow) as perfect as possible.

Mr. William
Cannon.

Mr. WILLIAM CANNON examined.

630. CHAIRMAN.—You, I believe, were at one time chairman of the Town Commissioners?—Yes; I was chairman for three years.

631. With regard to some of these resolutions can you give me any information? Were you a Town Commissioner in 1856?—I was.

632. I should like to know what were the grants at that time, or shortly before that time, to the members of the municipal body which led to the resolution prohibiting the granting of leases to the Commissioners being proposed?—No practice of letting to the Commissioners existed in my time. There was one case in which a Commissioner wanted to get some property, and when he was advised that he could not get it, two of his friends got it for him. I said that this mode of getting property was likely to go on, and I therefore took an active part in getting that resolution passed and putting an end to it.

633. That was what led to the resolution being passed?—Yes; and then, you see, there were a good many resolutions with regard to the cancelling of leases, and as the practice was likely to be continued, we set our faces against it also. At one time it was the prac-

tice not to sign documents in public, but they were sent to the houses of the Commissioners, and executed there. There was a resolution forbidding that, for there were leases given that no one knew anything about.

634. Up to what date did that practice continue?—I cannot exactly say; but I proposed the resolution myself.

635. Was much injury done by this practice?—No; but there were things being done which would not bear the light of day. I do not mean to say that there was anything corrupt done, but the tendency was in the direction of making mistakes.

636. There were some things open to suspicion?—Yes.

637. Mr. Coulter.—My impression is that in a great many instances it would be a great advantage if the Town Commissioners had power to cancel leases. It would do away with many of the thatched houses. There are a great many of them on our own property, and if these old leases (some of them are very old ones) were cancelled and new ones put and good houses built, it would be a great improvement and a great addition to the funds of the Commissioners. The rental would be increased and so would also the taxes.

March 24, 1877.

MARCH 24, 1877.

Mr. Jordan.

Mr. JORDAN re-examined.

638. Mr. Jordan.—I wish to supplement a statement I made yesterday. You may recollect having asked me what was the disposition of the Commissioners with reference to the letting of tenements by auction or proposal, and I said we would be inclined to have regard to tenant-right in this town. When the tenements in Belmore-street fell into us, and we advertised them to be let by proposal, they were closely competed for by three people. The parties who got them, got them at a high rack rent, and the result was, that in one or two years after, when the parties had taken all they could out of the houses, they gave them up in a much worse condition than they got them. Another gentleman the other day stated that when the thatch was worn off his house, he would give them up. The Commissioners now find in letting houses that they have to make a reduction in some instances, in order to get the premises set at all.

639. CHAIRMAN.—You might have covenants that

while the landlord kept the exterior, the tenants should keep the interior in repair?—In this part of the country the tenant is supposed to do nearly everything.

640. Therefore, if you have such covenants as I have mentioned, you would obviate all difficulty?—Theoretically that is very true, but practically it is very difficult to enforce covenants with reference to improvements. That is the reason why I say I think it would be better to let the houses at a moderate or fair rent, instead of a rack rent.

641. Mr. Cannon (Commissioner).—At the same time, I think the disposition of the Commissioners, notwithstanding that state of things, is to let everything by proposal, believing that to be the most healthy course for a public board to adopt.

642. Mr. Trimble (Commissioner).—Not at all.

643. Witness.—I think from the mere experience we have had since I became a Commissioner, I am borne out in my view. Mr. Cannon is quite right; but we have found rack rents to operate injuriously against

EVIDENCE.

March 24, 1877

Mr Jordan

a property. We had to let a house the other day for £5 a year less after we paid for improvements. You asked me did the Commissioners and officers afford facilities for carrying out the Sanitary Act, and I said they did. I would wish that observation to be understood as applying to the Commissioners, not only as a sanitary board but as Town Commissioners under the 9th Geo. IV. They are most anxious to carry out the provisions of the Acts under which they are incorporated, and in furtherance of them I may add, that they are hearty and unanimous in their efforts to manage the affairs of the town well. We know no parties on this board. We have our opinions, but as Commissioners at the board we have no politics. There is no such thing as the affairs of the board being conducted by "sides of the house," but we are all unanimous in our desire to manage our affairs amicably and for the good of the town.

644. CHAIRMAN.—Is it true that some members are more anxious to have improvements carried out on their own property than on others?—It is not.

645. There was a newspaper sent us this morning, containing a letter by James Johnston, complaining of a nuisance which flowed through his wall. Do you know anything about it?—Yes; we had a great deal of trouble about that. On the 22nd July, 1875, he received notice to abate the nuisance. We spent a good deal of time investigating the case, and found that it ultimately resulted in a question of title between two landlords. As evidence of the desire of the Commissioners to govern the town to the best of their ability, I may mention that we have had out since 1870, on the town about as much money as had been laid out on it for the thirty years previous. I think we have expended between £14,000 and £15,000.

646. Including your waterworks?—I mean all. Not only that, but I may state also, that the Commis-

sioners since 1870, have devoted more of their time in looking after the affairs of the town than the Commissioners for the previous twenty years ever did. The minutes will prove that to you. Since you have come down here we have been more convinced than ever of the importance of keeping ample minutes, and having everything recorded in detail. There is only one other observation I would wish to make. I see by yesterday's newspapers that a number of medical gentlemen in Dublin have entered a protest against towns of under 5,000 inhabitants being supplied under the Public Health Act with an urban sanitary board. Now we are under 5,000 inhabitants, and we would deem it a most calamitous circumstance to be deprived of our urban sanitary board. I believe no greater calamity could occur to the town of Enniskillen. If we were dependent on the Board of Guardians for the regulations of our sanitary affairs, the borough of Enniskillen would be in a state of filth, dirt, and neglect.

647. Mr. CURRAN.—I have too much respect for the Board of Guardians to go that far and say they would neglect the duties if they were imposed on them. As a member of the Board of Guardians, I give as much attention as I can to rural sanitary matters, and I am sure the others do the same. However, I think it would be a most calamitous thing if we had to go to the Board of Guardians about the sanitary affairs of the town.

648. CHAIRMAN.—Do you, Mr. Jordan, think that the sanitary affairs of the town would be best attended to by the Guardians than by the urban sanitary board?

Mr. Jordan.—My opinion is, that the want of attention would amount almost to neglect; and if we gained nothing else than an urban sanitary board by the expenditure of £2,000, we would think it very cheap.

649. Mr. James Keogh.—As a Commissioner and a Guardian I beg to endorse what Mr. Jordan says.

Mr. WILLIAM CARSON re-examined.

Mr. William Carson.

650. CHAIRMAN.—Are you vice-chairman of the Board of Guardians?—In the absence of the chairman I am generally chosen to preside, but I am not the regularly appointed vice-chairman.

651. Have you been a long time a Town Commissioner?—Yes.

652. In your opinion, would the town of Enniskillen suffer if the present Town Commissioners ceased to be the urban sanitary authority, and the sanitary affairs of the town were entrusted to the Board of Guardians?—Well, so far as the Board of Guardians, as a sanitary board in this sense is concerned, I think they have done their duty as efficiently as it could be possibly done, and through their means there is no question but vast improvements have been effected throughout the entire union. As to what course they would adopt with reference to the urban district I am not prepared to say. I would not go so far as Mr. Jordan, and say that they would neglect the town if the change were made. They have a most efficient staff of officers, and the duties have been performed as well, I think, as in the town.

653. Would you at the same time endorse Mr. Jordan's opinion that the Commissioners as the urban sanitary authority have been very active and very energetic in their desire to carry out the duties entrusted to them by Act of Parliament?—Decidedly. I would prefer that the authority remained in their hands, but that is no reflection on the Board of Guardians.

654. Has Mr. Johnston's letter been before the Board of Commissioners?—Yes; and very carefully considered. As far as I know about that case of Mr. Johnston, I think the sanitary board has exercised all its powers of ingenuity to have the matter arranged, but it seems to be very difficult. We had one of the landlords, Captain Collins, before us, and he promised to do anything that was reasonable in reference to this party wall.

655. Is that the gentleman who is complained of by

Mr. Johnston?—No. He is the owner, not the occupier.

656. Is the occupier of Captain Collins's property the member of the Board referred to?—No, Mr. Johnston's complaint is of a tenant of Captain Collins.

657. The Commissioners have been good enough to furnish me at my request with a schedule of the houses that fell in since 1840, and were repaired;—and I desired special reference should be made to any lettings to members of their own body or their relatives. The only case mentioned is a letting to Mr. Ball on the 3rd July, 1856, he being father-in-law of one of the Commissioners. Were you a Commissioner at that time?—Yes.

658. Did you sign the lease as a Commissioner?—Yes.

659. Was Richard Ball to whom this lease was granted father-in-law of a Commissioner of that date?—He was.

660. Who was the Commissioner?—George Mahood.

661. This was a lease for annually-five years of the gardens in Toneystock at a rent of £4 17s. 10d. on condition of Richard Ball expending £120 at least on building. Do you know the premises in question?—I do.

662. Was that ground let at a fair rent to Mr. Ball?—As a ground rent I think so. There was no building at all there. A great deal more than £120 has been expended there. He has built two good substantial houses on the property.

663. Mr. Pringle.—He has laid out £400.

664. Was there any competition invited for that ground?—There was no competition, because there was an existing lease at the time which was cancelled.

665. There was an old lease of 6th July, 1822, held by Ball, who came in, surrendered it, and got a new lease?—Yes. There were some years unexpired, but Ball wanted to build on the ground, and then got the new lease.

ENNIISKILLEN
March 24, 1917.
—
Mr. William
Carson.

666. I want to know the number of years that were to run!—I couldn't tell you.

667. I assume the old lease was for three lives or sixty-one years!—Yes.

668. And the new lease being granted in 1888, thirty-six years of the old one must have expired!—Yes.

669. That would leave twenty-five years still to run!—Yes.

670. Do you know what Ball paid for the old lease?—I do not. I have got a copy of Mr. Ball's proposal here. I will read it. It is from a minute of the 25th June, 1888—

"GENTLEMEN.—I beg to request you will grant me a lease of that garden and premises which I hold under you, adjoining Mr. Robert Kaye's premises in Toome road, for building purposes. I will build a dwelling-house of brick, stone, and mortar, and slate it—to the value of £200, within three years from the time you will execute the lease to enable me to extend this sum in improving the premises. I beg to call your attention to the very high rent had for gardens and the depreciation of property in the neighbourhood by the removal of the lease which would be held in the immediate vicinity. I agree to pay the same rent I do now, and pay the necessary expenses of drawing out the lease, which I trust you will grant me."

The rent was not named.

671. The rent was not named, but it was not changed, for was not that proposal adopted!—Yes.

672. It was let to him at the same rent at which he had had it before!—Yes.

673. What would £4 17s. 10d. per year be per foot?—Something over 2s. a foot.

Dr. Robert
Pakenham
Walker.

Dr. ROBERT PAKENHAM WALKER continued.

680. CHAIRMAN.—Have you been consulting sanitary officer since the Act of 1874 was put in force?—Yes. I was previously a Commissioner.

681. What is your salary?—£15 a year.

682. Are you often at the meetings of the board?—I habitually attended every week. Lately the meetings are held only once a fortnight, that being found sufficient, owing to the quantity of business having diminished.

683. Have you found a general disposition on the part of the sanitary board, to carry out your recommendations as consulting sanitary officer?—The greatest anxiety to do so.

684. Do you and Dr. Gosnell generally agree in your views as to sanitary matters?—I don't think we have had any collision so far. Frequently when a report comes in with reference to any place, I visit it with a deputation from the sanitary board, to satisfy ourselves of the exact condition of the premises.

685. Whenever there has been any doubt?—Yes.

686. Being requested to do so, you have done so?—Yes.

687. In your opinion, is the Act efficiently carried out in Enniskillen?—I think it is very efficiently carried out here.

688. What accommodation is there in case of an epidemic breaking out, say fever or small-pox?—There is a large fever hospital in connexion with the workhouse.

689. Has that accommodation been found sufficient?—Quite sufficient. The town has become very free from these diseases. For many months last year, there were no fever cases in hospital at all. Fevers and epidemic diseases in this town are not frequent. The diseases are more sporadic than epidemic, I don't think there is any case at present.

690. Have you an ambulance?—There is a good ambulance, which is maintained by the Guardians.

691. It has been stated here, that the Guardians would not be as efficient a body in looking after the sanitary affairs of the town as the Commissioners. Are you of that opinion?—Naturally the Commissioners would take more interest in the matter. A great many of the Guardians are farmers living in the

674. Do you believe that was the full and fair value of the land?—I was under the impression at the time it was. I was aware that the value of property there had been depreciated, owing to the fact stated in the proposal—namely, that the fair-green which had been held in that neighbourhood from time immemorial was removed to another part of the town. I think it was a reasonable price.

675. Mr. LAWLESS.—Did Mr. Ball fulfil his proposition?—Yes. Mr. Mahood became owner of the property, and he paid out £200 on it.

676. CHAIRMAN.—Do you think because Mr. Ball was father-in-law of a member of the board, he was treated differently from any one else?—He was treated just the same as any one else.

677. Are you in favour of always putting up town property, as it falls in, to public competition?—I am, or any work to be done.

678. Then you are against the principle of accepting the surrender of houses and granting new ones?—I am strongly against it, and ever have been. Mr. Jordan is quite correct with regard to the amount of work done by the Commissioners since 1870, and the sums of money expended on compared with former years; but he omitted to state, that prior to that date the Commissioners were unfortunately not in the position of being able to spend money, because they had no powers of taxation.

679. Mr. FRIMBLE.—They had the power to tax, to the extent of 1s in the pound.

country, who know very little of sanitary matters, except what they learn at the Board of Guardians.

682. Are the Commissioners well represented on the Board of Guardians?—Yes; I am myself an ex-officio member of the Board in my capacity as a magistrate. These Commissioners display the same energy there as in the town. I am convinced that what Mr. Jordan and Mr. Carson say is right, namely, that the Commissioners themselves have more interest in and are better acquainted with the sanitary affairs of the town than the Guardians could be, and are a far more suitable body to carry out the sanitary laws here.

683. Would you go so far as to say that the sanitary affairs of the town would be neglected by the Guardians?—I don't think they would be neglected; but I think there would be more difficulty and circumlocution in getting them carried out by the Guardians.

684. Mr. LAWLESS.—Do you think the sanitary affairs of the town would be or could be as efficiently carried out by the Board of Guardians as by the Commissioners?—I think not, judging by what the Commissioners have done since they got the management into their own hands, as compared with what was done by the Grand Jury. There is one matter I wish to volunteer my opinion on, namely, the taking up of old leases and the granting of new ones. I don't agree with Mr. Carson that it is always undesirable. I will give you an instance. I purchased an old lease from a tenant holding under Lord Enniskillen. The premises were not sufficient for my accommodation. They were too old besides, and required a great deal of repair. I applied to Lord Enniskillen, and undertook to lay out a certain amount, provided he gave me an extended lease. His lordship did so, and I improved the premises so much that they are now valued at £15 a year instead of £25—the figure at which they were valued when I got them. Now, that brings in so much per annum revenue to the Town Commissioners, in the shape of taxation. There is a large Royal School in the town, and it has always been the desire of the Commissioners to provide suitable suburban residences in the neighbourhood for persons who wish to come here to have their children educated, thereby extending the population of the town. Of course, people will not expend money in building comfortable houses on leases for twenty-five or thirty years.

Dr. BAPTIST GAMBLE examined.

Examined.

March 21, 1871.

Dr. Baptist Gamble.

693. CHAIRMAN.—Are you the dispensary officer?—

I am.

694. And ex-officio sanitary officer?—Yes.

697. Have you been since 1874?—I have.

698. What have you found the disposition of the Commissioners to be in regard to your recommendations as to sanitary matters?—Most anxious to carry out the provisions of the Act.

699. Have you found yourself well supported by the sanitary officer?—As well as possible.

700. Is he in constant communication with you?—Yes; when anything occurs he is in constant communication with me.

701. Do you regularly attend the meetings of the Board?—Not regularly, except when summoned.

702. Do you call in occasionally?—Yes.

703. Are you satisfied with the way in which they carry out your recommendations?—Decidedly.

704. Are you satisfied with the accommodation for fever cases?—It is more than ample.

705. We heard yesterday there was a great want of privies and nappies. Is that so still?—Yes; where there are no yards. Some of the places have been greatly improved, and these have kept a great deal cleaner.

706. Is the drainage good?—Yes; the greatest possible improvement is going on every day. The back streets are a credit to any town—country town or otherwise.

707. Mr. LAWLER.—There has been a complaint with regard to your own premises?—Yes.

708. Was it brought forward by yourself?—Yes. There are not the premises in which I live, but premises I am building.

709. CHAIRMAN.—I notice there has been an abatement order made?—Yes; I inspected the building and reported the nuisance.

710. Could not you have abated that nuisance on your own premises without the intervention of the Town Commissioners?—Yes, I intended to do so, but having been directed to make an inspection, I thought it was necessary for me to make a report also. The house was being built, but the sewerage was not completed.

711. You remember the case Mr. Johnston complained of in the newspapers, I suppose?—Yes; I have repeatedly inspected his premises.

712. For the sanitary authority?—Yes; and the sanitary authority did all they could. It was a dispute as to who was liable. Captain Callum, Mr. Johnston's head landlord, was always most willing to do all in his power.

713. Is the adjoining owner of whom Mr. Johnston complained a Town Commissioner?—Well, he complained of him. There was a house in a back street

from which there was an escape also, but the nuisance wasn't very bad.

714. Did you report it?—I did, more than once.

715. And were the parties called upon to abate the nuisance?—They were. I am sure I made two reports of it.

716. Was it a question rather between two landlords than between the complainant and the sanitary board?—I think so. The premises are 24, High-street.

717. Notices of abatement appear to have been served in each case?—Yes.

718. Have the Commissioners made an order on both parties?—Yes.

719. Mr. LAWLER.—Have you ever had occasion to report the same nuisance twice over?—I have; I reported Mr. Johnston's neighbourhood.

720. Have you ever found your reports not attended to or not acted upon?—I have always found there has been an attempt at least to carry out the instructions the people received towards cleaning out the place.

721. In other words, you never found your reports unattended to, neglected, or shelved?—No; ultimately they were always attended to.

722. You found in this instance the Commissioners equally ready to make an order on one of their own body as on anyone else?—Just the same.

723. My question has reference to the action of the sanitary authority on your reports. Have you found that your reports were always acted upon by the sanitary authority?—Oh, I thought you meant by the people. My reports were invariably acted upon by the board.

724. Mr. John Wray (borough surveyor and executive sanitary officer).—The premises referred to in Mr. Johnston's complaint are bounded by a party wall. The premises adjoining, which belong to a Town Commissioner, are of a higher level than the other, and find matter proceeds through the party wall. Mr. Vernon is the Town Commissioner who owns the upper premises, and he was noticed every time Mr. Johnston, who holds the lower premises under Captain Callum, was noticed. Mr. Vernon did everything that was fair and reasonable to abate the nuisance except to rebuild the foundation of the party wall. For some time both landlords agreed to do this, but Mr. Johnston summoned Mr. Vernon. Mr. Johnston, at the summons, however, wrote across to me that he would not proceed with the summons. The matter was recently before the sanitary board, but inasmuch as the nuisance was very slight, and was caused chiefly by the wall not being rebuilt, they thought it would be better to let the two landlords fight the matter out between them.

725. Mr. Jordan.—Mr. Arthur, about whose lease so much was said yesterday, is now present, and can explain the circumstances to you.

Mr. WILLIAM ARTHUR examined.

Mr. William Arthur.

726. CHAIRMAN.—What did you pay Mr. Bickley for his interest in the premises held by you?—£170.

727. The buildings were then nearly completed, but were not occupied or fit for occupation?—They were not at all finished. A large portion of the buildings was intended for offices.

728. Was there any understanding between you and Mr. Bickley or you and Mr. Lemon at the time, that in consideration of your giving that money, Mr. Lemon was to use his interest with the Commissioners?—No.

729. Did anything at all of the kind pass between you?—Not at all. I came before the board by letter.

730. Did you give that £170 for the bare remainder of the term of thirty-one years which Mr. Bickley then had of the premises from Mr. Lemon?—Yes.

731. And you took your chance of being able to get a longer lease?—Exactly. I expended £1,000.

732. Did any money pass between you and Mr. Lemon?—No.

733. Nor has any since?—No.

734. There was no transfer of any premises from Mr. Bickley?—No.

735. Mr. LAWLER.—Was the granting of the lease to you for the building of houses opposed by any of the Commissioners?—There was a resolution on the books that the building leases were not to be renewed until the old leases had dropped out.

736. Did you know that that resolution stood rather in the way of your lease?—I wasn't aware of it at the time.

737. Had you not been a Town Commissioner yourself?—I had been for many years before.

738. And were you aware of the existence of that resolution?—I was not. It was rescinded for the very purpose of granting me this lease, because they deemed it advisable and to their own advantage to give it to me.

739. Did you make any interest with your friends on the Council to get this lease?—There were some

FORSTHER,
MAY 28, 1877.
Mr. William
Steffens.

who were opposed to it in the first instance, the principal objection being, that the resolution on the books stood in the way.

740. Did you try to make any interest with your friends?—Not at all.

741. You never canvassed?—I cannot remember whether I mentioned the subject in any conversation, but I never made a general canvass. I may have mentioned what I intended to do, but I didn't make any application to the board in reference to their rescinding their resolution.

742. Do you think but for your personal influence with members of the board you would have got this agreement for a building lease?—I don't think it was owing to my interest at all. I think the matter was fully discussed at the open meeting of the board, and the Commissioners deemed it to be to their advantage to have property of this kind built, which would fall in to them in fifty or fifty-five years.

743. CHAIRMAN.—How long is it since you have been a Commissioner?—Twenty-five years.

744. Mr. Colvill (Town Clerk).—In my examination, yesterday, I omitted to state that my moneys I pay away during the month, from year to year, I pay on the certificate of the borough surveyor and chairman of the Town Commissioners, and these certificates

come up at the monthly meeting of the Commissioners for confirmation.

745. Mr. Lane.—Permit me to say a word in reference to a lease to Mr. John Collins of premises in Townsend, at £4 9s. 6d. a year, which were let to Matthew MacDonald. I find by the returns laid that the premises were put up on the 26th November, 1850, and that the money was paid by Matthew MacDonald. The tenant was to get the premises for seventy-five years from the 1st November, at £4 9s. 6d. a year.

746. Mr. Corson.—There can be no question at all but that MacDonald was the trustee of Collins. The premises were transferred at once.

747. Mr. Hogg.—I may mention that there are 4 miles 6 furlongs and 10 perches of roads and streets within the borough, and of these 2 miles 1 furlong and 36 perches have main sewers.

748. CHAIRMAN.—Were these latter made since 1870?—Not the whole.

749. Are they in the most populous parts of the borough?—They are.

750. How much of the sewers has been made by the Commissioners since the passing of the Act of 1870?—I should say perhaps three-fourths.

I AMBERGHEM.
March 26, 1877.

LONDONDERRY.—MARCH 26, 1877.

(Before Mr. CORRY (Chairman), and Mr. LAWLESS, &c.)

[It having been announced at the commencement of the inquiry that the Town Clerk was unable to attend through illness, it was decided to examine his principal assistant.]

Mr. WILLIAM STAFFORD examined.

Mr. William
Stafford.

1. CHAIRMAN.—Are you the principal clerk to the town clerk?—Yes.

2. Have there been any statutes regulating or affecting the Corporation of Londonderry besides the 3rd and 4th Vic., cap. 1081?—Yes. The first of these is the Londonderry Improvement Act of 1848; the next is that of 1855, and the next is that of 1864, and they are all known as the "Londonderry Improvement Acts."

3. Were there any powers of assessing rates conferred upon the Corporation by the Act of 1848?—Yes. The Corporation were empowered to levy a general improvement rate extending to 3s. in the pound, until they took the streets and roads of the borough into their own hands, upon doing which they were empowered to levy a 4s. rate.

4. Have they since always levied a 4s. rate?—They have.

5. Have they always levied a rate up to the full amount of 4s.?—They have.

6. How do they levy that rate?—They levy it twice in the year by two assessments of 2s. rates.

7. Had they borrowing powers under the Act of 1848?—Yes. They were empowered to borrow a sum of £240,000 on the security of the rates, and the entire of that sum was borrowed by them.

8. How were they to apply the moneys borrowed?—They were empowered to pay out of the money borrowed under that Act any remaining liabilities of the old Pipe-water and Police Commissioners, which were abolished by the Act of 1848, and their powers vested in the Corporation.

9. Did the Corporation get any other powers by that Act?—Yes. The Act also gave them power to light, drain, and otherwise improve the borough, and it provided that from the date of the Corporation accepting the charge of the roads and bridges, &c., of the borough, the liability of the borough to county rate was to cease. They were also empowered by a number of clauses to construct waterworks, and to purchase lands for markets and fairs, and for private slaughter-houses, and to levy tolls in respect of the markets, fairs, and slaughter-houses, as well as to let the market

stalls, and they were empowered to purchase ground, and to make a public cemetery.

10. Was there any limit of time within which these works were to be done?—Yes; this Act limited a space of five years, within which all these markets, the cemetery, and the waterworks should be constructed.

11. Do you know were they all constructed within that term of five years?—I think they were.

12. At all events, at the present moment they have public markets, cemetery, and waterworks?—Yes.

13. Does this 4s. improvement rate include the water rate?—Yes.

14. In making the estimate of the rates for the year, do you estimate the cost of supplying water to the town?—Yes.

15. Therefore there is nothing received from private owners beyond the rate?—No.

16. Do you receive any payments from public institutions for the supply of water?—Yes; from the gael and other public institutions.

17. Sir William Miller (Mayor of Londonderry).—Under the Act the citizens are only entitled to a supply by a half-inch pipe; if they require an additional supply the owners are bound to pay for it.

18. What quantity of water are you bound to supply under the Act?—There is no fixed quantity.

19. Sir William Miller.—The citizens are fitted with ball-cocks which stop the supply; but as long as we have the supply the water is practically unlimited.

20. CHAIRMAN (to Witness).—Does the Act of 1848 require a sinking fund to be formed?—Yes, that Act requires the Corporation to provide a sinking fund of not less than one-fourth of the money every year, and there was a provision by another clause to set apart ten per cent. out of the rates for further improvements.

21. What was the next Act?—That of 1855 which gave the Corporation borrowing powers to the extent of £10,000 more with similar provision for repayment, and then came the Act of 1864, which recites the fact that under those two previous Acts the Corporation had borrowed £30,000, which sum by the sinking

land they brought down by £10,370, leaving £39,730 still due. Then this Act recites that it was expedient to extend the limits of the borough, and they were accordingly extended.

22. Were the wards into which the borough had been divided also extended or remodelled?—Yes. They were extended—not otherwise remodelled.

23. What other material provisions did that Act of 1844 contain?—By another section of the Act the Corporation were liable for the streets and roads within these extended boundaries, and the newly added extensions were exempted from payment of Grand Jury cess except for county at large purposes; and the Act bestowed the powers of the Corporation to levy the rates under the Act of 1843; but not to levy any new rates.

24. Have they ever levied any new rate beyond 4s. in the pound?—No.

25. Did the Act of 1844 confer any further powers?—It gave the Corporation certain powers as to houses unfit for human habitation, powers to take land on specified plans, powers with regard to market places and public works for the town, and an additional power to borrow £20,000 more.

26. Was there any Improvement Act subsequent to 1844?—No.

27. Is the Corporation the urban sanitary authority?—Yes, under the sanitary Act of 1874.

28. Have the Corporation any property, or are they dependent entirely upon the rate they levy, the receipts

from the markets, and what they receive from the Irish Society?—They have not any other property.

29. What do the Corporation receive from the Irish Society?—They receive £1,353 10s. 8d. each year, of which £783 10s. 8d. paid by two half-yearly payments of £391 15s. 4d. each, is under some old grant or custom, and £569 of the £1,353 10s. 8d. is a contribution by the Irish Society towards the improvement of the town; this is paid in one payment, so that the Corporation receives £391 15s. 4d. in one half-year, and £391 15s. 4d. the other half-year.

30. How long has that grant been in existence?—I do not know how long.

31. Can you tell me the circumstances under which it was granted?—No.

32. I want to know the date of the grant, the circumstances under which it was granted, and whether it is optional or secured to the Corporation by any deed.

33. Mr. LAWRENCE.—And whether it was a grant made to the old Corporation.

34. CHAIRMAN.—Have the Corporation any real property except their markets?—No; they have not.

35. Have they any other sources of income besides those I have mentioned?—Yes; they receive some small anchorage dues from the Harbour Commissioners.

36. Do you know how their title to these arises?—I do not, but Mr. Stewart (the secretary to the Harbour Commissioners) knows.

Examination continued.
April 24, 1877.
Mr. William
Stewart.

Mr. ABRAHAM H. STEWART (Secretary to the Harbour Commissioners, and a member of the Town Council) examined.

Mr. Abraham
H. Stewart.

37. Witness.—I can answer that. It has been collected from time immemorial from sailing-ships: two-masted vessels pay half-a-crown each, and single-masted vessels pay one-and-sixpence each. I think it is about fifteen years ago since the Board of Trade applied for information concerning the matter, and asking me under what authority the toll was levied. The only explanation I could give was that it was collected from time immemorial. They asked what value the Corporation gave in return, and the reply I made was that they supplied water to the quays, and also that they lighted a considerable portion of the quays. I myself levy the toll on behalf of the Corporation.

38. Is the correspondence between you and the Board of Trade in print?—Not that I am aware of.

39. Were the Board of Trade satisfied?—Yes; and there never has been a query since.

40. Mr. LAWRENCE.—Is the toll you mention levied by the Harbour Commissioners under their powers and then handed over to the Corporation?—Not at all; it is levied by me for the Corporation.

41. CHAIRMAN.—Have the Corporation any control over the Harbour Commissioners?—None whatever; they are disconnected in every possible way.

42. They simply have an old immemorial claim to these particular anchorage dues, and no portion of that money goes to the Harbour Commissioners?—No portion whatever.

43. Are any members of the Corporation ex-officio members of the Harbour Commissioners?—A few members of the Corporation are also members of the Harbour Board. They are elected by 250 householders.

44. Mr. LAWRENCE.—Have the Corporation any power to nominate any of the Harbour Board?—No; there is a qualification of 250 requisite.

45. CHAIRMAN.—All I want to know is whether the Corporation have any control over the Harbour Commissioners?—None whatever; they are quite a distinct body.

46. Mr. LAWRENCE.—Are the Harbour Commissioners allowed to take water free from the public water supply?—No, except from the fountains. They would not be allowed to supply a passenger ship without paying for it, or a steamer for the purpose of filling up her boilers, but it is a great convenience to have it for these purposes.

47. Sir W. Miller.—There is a main laid along the quays specially for the purpose.

Mr. STAFFORD'S examination resumed.

Mr. Stafford.

48. CHAIRMAN.—Did the reformed Corporation in 1840, inherit or become liable to any debts contracted by the old Corporation?—I don't know.

49. The Mayor.—They inherited a debt of £1,000 for gas.

50. What is the principal source of income after the rate?—The markets.

51. Are those markets let yearly?—Yes.

52. And what were they let for last year?—They were let for £2,170.

53. Will you enumerate them?—The Victoria was let for £1,000.

54. Is that a covered market?—Part of it is covered. The Albert market was let for £75. That is for the sale of fax, and for a horse-market. The Water-side market was let for £175.

55. What is that for?—That is a corn and general

market. The Foyle-street market was let for £470; that is for butter and pork. The cattle-market was let for £205.

56. Is that a sort of fair-ground?—It is a market for the sale of live cattle.

57. Sir W. Miller.—And for pigs and sheep.

58. Witness.—The slaughter-house is let for £185; Sir Edward Reid's market let for £135.

59. Sir W. Miller.—This is a kind of market for the purchasers of meat, poultry, fish, green grocery, and all those things; and for old furniture—all sorts of things.

60. That would make £2,355 altogether. I see from the markets last year you received £2,394 8s. How was that?

61. Sir W. Miller.—There is another market he

1. continued
March 28, 1877.
Mr. Seabell.

has not included; it was originally set for a potato-market, and is now set for the horse buyers.

62. (To Mr. Seabell.)—Have you included it?—No, I have not; that produces £55.

63. CHAIRMAN.—I suppose the Corporation maintain a staff to look after those markets, because I see on the other side of the account an expenditure of £1,349 9s. 1d.?

Sir W. Miller.—We have a good deal to pay for headrent, and that is included in the amount you refer to.

64. Mr. LAWLESS.—Is this letting of the markets made by any deed or instrument in writing, or merely by the minute of the Corporation?

Witness.—It is by a regular stamped agreement every year to the highest bidder. (Specimen copy handed in).

65. CHAIRMAN.—Is the agreement made in pursuance of those printed forms?—Yes.

66. Do those lettings of last year represent a fair average of the lettings of the market; or was last year an exceptionally good one, or was it an exceptionally bad one?—About a fair average.

67. We may take it that the market produces annually about £5,400, or £2,500 to the Corporation, out of which the expenses have to be paid?—Yes.

68. What are the receipts from the Corporation Hall?—Money received for the letting of rooms in the town hall for theatrical purposes, balls, &c.

69. Is there a court-house here?—Yes.

70. Sir W. Miller.—The city petty sessions are held in the town hall.

71. CHAIRMAN.—What are the items included under the head of "miscellaneous receipts"?—

It includes petty sessions fines, and the rack-rent fees.

72. Are the dog licenses included under this head of miscellaneous items in the auditor's account?—Yes.

73. Are fees from the cemetery for burials there?—Yes.

74. How many acres of ground does the cemetery consist of?—About twenty-seven acres altogether.

75. Is a portion of that not occupied yet for graves?—Yes.

76. Is the grass of that let or sold?—We sell the grass every year.

77. Sir W. Miller.—It is sold by auction for the one cutting.

78. I see the cemetery receipts are £204 16s. 3d., and the outgoings are a little in excess of that?—Yes. The cemetery is not a source of income, but the expenses and receipts nearly balance each other.

79. For what purposes did the Corporation borrow £11,250 last year and under what powers?—They borrowed £11,250 at 44 per cent. last year, in order to pay off existing loans, on which interest at 45 per cent. was payable, so as to reduce the annual expenditure.

80. Will you give me some statement of how the capital debt stands at present?—The total amount due by the Corporation at present is £42,531.

81. The amount of debt outstanding in 1864 was £36,730; and at that time you borrowed £20,000 in addition to the £36,730 under the Act of 1864 which brought the gross amount up to £56,730, and that sum has been reduced by £17,199?—Yes.

82. Have you ever borrowed any money for sanitary purposes under the Act of 1874?—No.

Sir William Miller.

Sir WILLIAM MILLER (Mayor), examined.

83. You are Mayor of Londonderry?—This is my third year of office, and I have been a member of the Corporation for between thirteen and fourteen years.

84. Were you a member of the Corporation when the cemetery was first formed?—I was not.

85. That cemetery we have been told consists of some twenty-seven acres?—Yes.

86. Is a portion of the cemetery set apart for Roman Catholics?—It is.

87. And is there a portion for any other denomination?—No; all the other denominations bury in common.

88. Is there any portion set apart for Jews?—No.

89. Mr. LAWLESS.—Is the portion set apart for Roman Catholics used by them?—Yes.

90. CHAIRMAN.—Is there a perfectly good understanding between the Roman Catholic party and the Corporation?—A perfectly good understanding.

91. What income do you derive from the cemetery?—I do not think at the present moment we are deriving any profit from it; the income fluctuates considerably. There are a number of families who still have burial ground in the Roman Catholic churchyard, and in another churchyard connected with St. Augustine's, a church belonging to the Protestant Church. The old families have a right in these old graveyards, so that it is principally the newer inhabitants of Derry who purchase ground in the public cemetery.

92. Is a portion set apart for poor persons?—It is.

93. Is there a mortuary chapel there?—There is.

94. Is it for both Protestants and Roman Catholics?—It can be used by all indiscriminately; but I believe it is used by Protestants only.

95. Has any question arisen about the erection of a second?—There never has; it is not generally used at all because the greater number of the funerals go up direct into the grounds, the mortuary chapel being at the entrance of the cemetery.

96. What officers have you?—We have a superintendent, and I think, from four to six labourers employed; and the outgoings or expenditures in respect of the cemetery were £316 16s. 3d. for the

salary and wages of the persons employed there, and the payment of a small annual head rent, payable to the Irish Society, for the land. Under the Act of 1864 there was an addition made to it, I think, of eleven or twelve acres. In a greater part of that land no burials have taken place hitherto. At the time it was purchased principally for the purpose of making a proper approach to the cemetery. In the old ground by which the cemetery was approached there was a dangerous steep. On the new ground, in 1864, the house for the superintendent was built, and also the mortuary chapel. There is a considerable part of it as yet which it is not necessary to take in for burial purposes, and it is the grass of that portion that is annually sold. We expect a grant in perpetuity, but the Irish Society are of opinion that under the Act of 1864 we are not entitled to it, as the ground is not yet actually used for interments.

97. What is the annual payment you make to the Irish Society?—Up to the death of the late Lord Londonderry the ground was held under lease. The lease expired with his life, and up to that time the head rent amounted to, I think, £40 or £12. The parties from whom we had to get the ground had to purchase it out. They are the head landlords, and the parties from whom we purchased our hold under the Irish Society, and they held in their term under Lord Londonderry. A question arose as to a rise of rent at that time; differences of opinion existed, so that no rent has been paid since Lord Londonderry's death. The question has been in abeyance.

98. Do you mean the present Lord Londonderry's brother?—His half-brother.

99. Mr. Stewart.—That only refers to a small portion of about four acres.

100. Mr. Staggard.—A little more than five acres.

101. Do you pay any rent for the old part of the cemetery, or do you hold in fee?—I think we have a perpetuity of it, and that it is under a normal rent.

102. Is the old portion of the ground held from the Irish Society too?—It is.

103. Are there any charities vested in the Corpora-

tion at the present moment which have descended from the old Corporation?—Not that I am aware of.

104. Mr. LAWLESS.—Within your memory has anything been paid in charity to anybody out of the funds of the Corporation?—At the death of some of the old servants of the Corporation there have been small grants made.

105. CHAIRMAN.—Do the Corporation hold any funds, or any kind of income, the proceeds of which they are bound to apply for any charitable purposes?—I never heard of any.

106. Is there any institution here called the School of St. Paul's?—Not that I ever heard of. I never heard of any funds for charities in that way.

107. Is there an establishment here called the Blue Coat School?—No; there is the charitable institution called "Gwynne's School."

108. Mr. LAWLESS.—I find in the report of 1835 that there was a custom of paying some persons two or three guineas a year by members of the Corporation, and that there was also a yearly entry for boys of the "Blue Coat School," whatever that was. According to your statement that has not been paid?—No, I never heard of it.

109. CHAIRMAN.—You have told us, as far as you can, the terms on which the cemetery lands are held. Can you tell us the terms on which the grounds for the markets are held? I think I understood you to say just now that there is a large head rent paid?—There is.

110. Is this land held from the Irish Society?—No, from different parties.

111. Are all the lands on lease and not freehold?—I think they are all held in perpetuity.

112. Are they held on payment of a head rent on lease for ever?—My impression is, that they are all held in perpetuity with the exception of the out-enclosures. The cattle market is held from a gentleman in Derry, and is under a terminable lease.

113. Mr. LAWLESS.—Can you tell me whether the markets were let or not in 1870?—There were one or two years that the Corporation kept them in their own hands, the sums offered for them not coming up to the

valuation of them; but I could not give you the exact date without referring to the books.

114. CHAIRMAN.—Is there any inspector to see that there is no bad meat?—Yes.

115. Just show me how that "£1,249 9s. 1d. annual expense of markets" is made up. [Witness engaged to hand in statement required at later period of the day.]

116. Can you tell me, with regard to the drainage of the borough, whether there has been much done since the passing of the Act of 1874, or whether the principal sewerage work was done before the passing of that Act?—There has been very little done here since 1874, but we have plans for the lower part of the town where the present drainage is not efficient, and the Local Government Board authorized us, by Provisional Order of the 4th of April, last year to borrow £15,000 for improvement works—including the improvement of the waterworks. We are only waiting now for the plans to be drawn out by our engineers. The Local Government Board have promised it to us at a low rate of interest. Part of that £15,000 is to provide for the repayment of the waterworks debt. We have overdrawn our account at the bank by £3,000, and that money consisted principally of what we have expended in the purchase of the grounds for the waterworks. We were obliged to purchase the ground at once, because the Church Temporalities Office had served us with a notice of ejectment, and if we had not accepted their offer on the spur of the moment we would have been left without water.

117. Has there been a good deal of sewerage done since the passing of the Act of 1864, by the Corporation?—There has, in part of the borough, but previously to that the borough had been very well sewered under the Act of 1848. Under the Act of 1864, we have, where necessary, put down main sewers.

118. Can you tell us what is the area of the borough now?—Well, I am afraid not. It is not all under full rates. There is part not lit with gas, nor provided with water. It is practically in the country, and only comes in for a one-third rate. Every place that is above 100 yards from a lamp is only liable for a one-third rate.

Mr. JOHN ALCOCK examined.

Mr. John Alcock.

119. How long have you been borough treasurer?—Five years.

120. Do you give security?—No.

121. Do you receive all the Corporation receipts?—The bank does. I am one of the managers of the Northern Bank, and practically the Northern Bank is the treasurer.

122. But are you appointed in your individual capacity as treasurer?—Yes.

123. Sir W. Miller.—But the money is not lodged in your name?—The accounts are in my name, but I have no power to draw out the money.

124. Mr. LAWLESS.—If the account is in your name will not the bank honour your draft?—No; the bank honours the draft only of three members of the Corporation and the town clerk. The money all passes through the books. I annually receive £25 a year salary, and this year I am overcharged with £216 2s. 3d.

125. Your salary is nominal, and your duties are apparently almost nil?—Yes; every thing comes through the bank.

126. Of course you have no percentage?—No. I have a salary of £25 for keeping the cash-book, pass-book, and ledger.

127. Have you any duty to discharge in reference to seeing after the frequency of the lodgments by the collectors?—No.

128. Sir W. Miller.—That is part of the duty of the finance committee.

129. CHAIRMAN.—Do you exercise any supervision over the collectors?—Not the slightest.

130. You know nothing in fact about the accounts beyond the fact of the payment of these sums of money?—Not the slightest. I am merely acquainted with the receipts and the payments.

131. Do you attend the meetings of the finance committee?—Not unless I am asked, and I have never been asked, I think. It is only the other day Mr. Simms has audited the accounts.

132. I shall just see if Mr. Simms' audit tallies with the bank-book. At the commencement of last audit—on the 31st August—there was a balance due to the Corporation from the bank of £406 3s. 1d. Then the collectors paid in, according to Mr. Simms' audit, £10,850 15s. 3d. from the borough rate?—I think that is too much.

133. Have you not got an abstract of it?—No; I have not got an abstract of it. I have got it in separate heads. We got £12,347 10s. 11d. during the year.

134. But not from the rates?—This was from the borough rate.

135. Mr. LAWLESS.—What was the rate struck for the last half year—ending November, 1875?—25,681 15s. 8d.

136. How much were they the next half year?—£5,718 2s. 10d.; that is for the half year ending May next.

137. Sir W. Miller.—I think, Mr. Lawless, that is not what you want.

138. To SIMMS.—Try what they were from May to November, 1875, and from November, 1875, to May, 1876.

LONDON: THE
March 26, 1877.
—
Mr. John
Algar

132. *Witness*.—They came to £5,622 18s. 5d., up to the 1st of May, from November, 1875.

133. *CHAIRMAN*.—That was only for half a year—how let me pass on—£1,705 18s. 3d., was the amount of the miscellaneous receipts. Of that, £1,283 10s. 8d. was from the Irish Society I understand?—Yes. The Harbour Commissioners pay anchorage monthly; it varies very much.

140. How much do they pay in the course of the year. Do you keep a separate account of them?—No.

141. Do you, Mr. Stafford?—No.

142. *Sir W. Miller*.—It does not pass through your office at all, Mr. Stafford.

143. *Mr. Stafford*.—The total amount of borough rate was £10,850 19s. 3d.

144. Who receives these anchorage dues in the first instance?

Witness.—The secretary of the Port and Harbour Commissioners.

145. Does he pay them direct to the bank?—Yes. The amount for last year was £54 7s. 16d., that was from the 1st September, 1875, to the 31st of August, 1876. Then there is further, under the head of "miscellaneous" receipts, what comes in from the fines and penalties imposed by the magistrates' petty sessions, which amounted to £253 15s. 3d.

146. How much was for the dog tax?—£40 15s.

147. How much was received from the Local Government Board for part payment of sanitary officers' salaries?—They appear to have got £57 7s. 11d. for the last year.

Mr. Stafford.

MR. STAFFORD REPLIED.

148. What is the item of £26 0s. 8d. "received on account of streets and roads"?—They were repayments made through the city surveyor by owners of premises for repairs done to their property.

149. For what was the sum of £104 16s. 3d. received?—For rates of ground in the cemetery and fees for interments.

150. What are the items of £89 8s. and £39 11s. 1?—The £89 8s. was for letting of rooms in the Corporation Hall, and £39 11s. was for the storage of gunpowder in the magazine. It is paid by the owners of gunpowder for whom the Corporation store it. £1,394 8s. were the receipts from the market tolls; and £125 3s. 4d. were the receipts from pipe-water. That was for pipe-water supplied to the city and county infirmary, the gaol and the court-house, and to certain public institutions, including the custom-house, the model school, the lunatic asylum, the North-western Railway Company, the barracks, &c. £11,250 is a loan contracted at four per cent. which I have already mentioned.

151. *Mr. LAWLER*.—Is that from the Public Works Commissioners?—No, from private individuals.

152. Who was it got from?—From various individuals.

153. *Sir W. Miller*.—I suppose there would be a hundred persons or better. The loan was got on Corporation bonds.

154. How was £350 of the £11,250 applied?—I cannot explain that to you.

155. *Sir W. Miller*.—I think there was a bond that was left open, some of which had been paid off previously.

156. *CHAIRMAN*.—Has the £350 been paid in the present year's accounts?—Yes.

157. That made up the £27,081 10s. 9d., including balance of £406 3s. 1d.; and on the expenditure side, on streets and roads there has been laid out £4,395 15s. 3d. Does that include new works, or merely repairs of roads?—It includes the flagging and repair of the streets.

158. Of the £316 14s., the expenses of the cemetery; can you tell us how much was head-rent, and how much not?—The head-rent was £7 10s., I think; and the remainder of the money was for wages and repairs.

159. *Mr. Thompson, J.C.*.—Have you no account for the cemetery there?—No.

160. *CHAIRMAN*.—What are the wages of the superintendent?—Fifty guineas a year. There are generally four men employed—three at 11s., and one at 14s. per week.

161. So that generally the wages come to £2 7s. weekly?—Yes.

162. How is the town lighted?—By contract with the gas company.

163. Is it by an annual agreement?—Yes.

164. Is the public lighting paid for at so much per lamp, or at so much per 1,000 cubic feet?—At so much per lamp.

165. How many lamps do you light?—439.

166. At what rate?—£4 per lamp, per year.

167. Are they lit all the year round for that?—Yes.

168. Does that include the maintenance of the lamps and lamp-posts, or is that separately charged for?—That sum includes the lamp-lighting and the repairs of the lamps.

169. I believe it is under discussion at this moment, whether the gasworks should be purchased by the Corporation?—Yes.

170. And I see a public meeting on the subject announced for next Wednesday?

171. *Mr. Thompson*.—The company are about getting a bill brought before Parliament, and the Corporation are anxious to have some clauses inserted, which they think would be for the good of the town.

172. *CHAIRMAN* (to *Witness*).—For what were the £83 10s. 4d. expenses contracted with the Corporation Hall incurred?—Some of it was for repairs, some for hall-keeper's wages, and some for gas.

173. For what was £11 8s. in connection with the gunpowder magazine?—That was for the wages of a man attending to look after the delivery of the gunpowder.

174. Printing and stationery, I see, are charged at £180 18s. 2d.?—Yes; that is for general expenses in that department.

175. Does it include the advertising?—It does.

176. *Mr. Thompson*.—There is a contract for printing.

177. *CHAIRMAN* (to *Witness*).—What is your contract?—There is a schedule of different items.

178. Is that work given away by public tender?—Yes.

179. How are the salaries of £1,538 1s. 9d. made up?—That includes the Mayor's salary, £300; and the Recorder's, including those of his officers, £300.

180. What is the town clerk's salary?—He is paid by the Corporation. He gets £450, including the rent of his office; and he pays his own clerks out of that.

181. The city surveyor's salary is, I see, £230. Does that include his car-hire, and all necessary expenses?—Yes.

182. The city analyst gets £40 a year?—Yes.

183. Then there is an assistant to the surveyor, who gets £55 a year; the sword and mace bearer gets twenty guineas, and the mayor's clerk £40?

Mr. Thompson.—He is the petty sessions clerk.

184. *CHAIRMAN*.—He is not paid by fee?—No.

185. The sergeants-at-mace get one hundred guineas, or five-and-twenty guineas each, and the town clerk gets £5. These would make £1,448 a year, and I see you actually paid last year £1,538 1s. 9d. Do you know what the difference was for?

186. *Mr. Thompson*.—The salary of the superintendent of markets is included in the sum you mention.

187. *Witness*.—His salary is £75, and he has £10 as inspector of lodging-houses.

188. CHAIRMAN.—That £75 should surely come under the head of "mortgage" &c.—

189. The amount paid to the Royal Irish Constabulary, including arrears, was £4,756 0s. 6d. What is the sum annually?—About £1,700 now.

190. Mr. LAWLESS.—Do the constabulary perform the duties of a night-watch?—They do.

191. And are they paid for that?

Mr. THOMPSON.—They are paid extra for it.

192. CHAIRMAN.—Can you tell me what you are required to pay annually for the constabulary, and what number of men you are obliged to pay?—The accounts will show that.

193. How much were you in arrears last year?

Mr. THOMPSON.—About two years and a half.

194. You paid last year about £170 more than you paid the previous year?

Mr. THOMPSON.—We had the same number of men, but we had to pay them higher.

195. Was the £4,756 0s. 6d. for three and a half years' payment?

Witness.—Yes.

196. Can you account for your having been so long in arrears? Did the Government apply for it?

Mr. THOMPSON.—That is just the cause of it. We frequently asked for a return of the arrears, but they delayed furnishing them to us.

197. Do you receive a precept stating what that amount comes to every year?—Yes.

198. Mr. LAWLESS.—Show me the last document you received from the Government requiring payment? (Document handed in.)

Mr. THOMPSON.—It was waiting for that which caused the two and a half years' arrears.

199. CHAIRMAN.—The interest on outstanding loans last year was £1,819 7s. 6d. Was all the interest outstanding paid?—Yes.

200. Do you always pay your interest half-yearly as it comes due?—Yes, on the 1st of May and 1st November.

201. And then there was £216 2s. 2d. which you had to pay Mr. Algeo, the treasurer, for interest on overdrawn accounts, and that was disallowed. Has that been settled?—It is still unsettled.

202. Mr. LAWLESS.—Against whom does the auditor charge the amount?

Mr. THOMPSON.—He charges the treasurer.

203. CHAIRMAN.—At all events there is at present pending an application to the Local Government Board?—Yes.

204. Your total expenditures last year were £59,715 12s. 1d., which was £5,634 8s. 4d. in excess of your receipts, leaving that balance against you at the present moment.

Mr. RICHARD WALLER examined.

Mr. Richard Waller.

205. CHAIRMAN.—How long have you been rate collector?—I have been a collector of borough rates about three or four years.

206. Do you give security?—Yes.

207. What is your bond?—Two or three thousand pounds, I think.

208. Yourself and two sureties?—Yes, of £1,000 each. I will not be positive, but I think it is £1,000 altogether.

209. Who has the custody of the bond?—The town solicitor, Mr. Gregg. Mr. Gregg is the son of the town clerk.

210. Your collection for the year under consideration amounted to £10,859 12s. 3d. Can you tell me what the total amount of the levy was?—The total amount of the borough rate struck for the half year ending 1st November had to be collected was £5,718 2s. 10d.

211. That was a 2s. rate?—Yes.

212. And what was the total amount of the present one?—I cannot say. I hand in to the town clerk each half year a declaration showing exactly the way the rate is balanced. The town clerk has the custody of that return, and can produce it.

213. Will that document which you refer to show what arrears were outstanding on each of those rates for last year?—It will.

214. And how much is carried on into the next half-year?—There is nothing carried on into the next rate.

215. Supposing £5,000 to be the amount of the rate for the period ending the 1st November last, does the document you hand in show how much is collected, how much stands over, and whether what remains

over on the two rates uncollected is recoverable, or how much is irrecoverable?—The amount of the rate for the last half-year ending 1st May, 1876, was £5,681 18s. 8d., of which £5,440 11s. 4d. has been collected, leaving £241 7s. 9d. uncollected. Of this sum £30 is a disputed rate, and the balance, £211 7s. 9d., is irrecoverable.

216. I think that shows the rate is very closely collected—a rate of over £5,000 collected up to within £11.

217. Mr. LAWLESS.—Are you elected annually?—No, I am not.

218. CHAIRMAN.—Do you pay in your receipts every week, or every month?—Never longer than once every week; and sometimes if I get a large sum I pay it off, and I get my commission at once.

219. What is your commission?—7d. in the pound, I get no salary.

220. Where is your commission shown in the accounts? Is it deducted from the total?—Mr. Simms, the auditor, is aware of it: each month I deduct the 7d. in the pound from my collection. Mr. Simms seemed to approve of it.

221. So that in fact the amount appearing as having been paid into the account as the receipts from the borough rate is the receipts from the borough rate less your percentage?—Yes.

222. £10,859 12s. 3d. is the total receipt from the borough rate for the year after deducting your percentage?—Yes.

223. In point of fact the receipts from the rate would be about £300 in excess of what is brought into account?—Yes.

Mr. THOMAS CHALKERS examined.

Mr. Thomas Chalkers.

224. CHAIRMAN.—You, I believe, are a solicitor practising in Londonderry?—Yes.

225. We find that the Corporation of the city of Derry receive an annual grant of £1,383 10s. 8d. from the Irish Society, and we are desirous to know the exact circumstances under which that grant was made. Are you in any way connected with the Irish Society?—No; I am not.

226. We understand that there is £391 15s. 4d. paid one half year, and £391 15s. 4d. another half year, £780 of that being a contribution towards the improvement of the city? Is that correct?—I will tell you about it; but, in the first place, I must go so far back as the year 1613—the time of the foundation of

the city. Previous to that time an arrangement was made between the city of London and the Crown that 4,000 acres of land, besides bog and mountain, were to be added or "laid" to the city of Londonderry. It appears, however, that that arrangement was not carried out, and that only 1,500 acres were "laid" to it. There was a charter given to the Irish Society which also incorporated the city of Derry. Coleraine was also included in that charter, but got a separate charter as well. Derry never got a separate charter, but was merely included in that to the Irish Society. The city of Derry got into possession of the 1,500 acres, but subsequently some complaints were made against the Irish Society, and the Court of Star

Lawrence,
March 26, 1877
Mr. Thomas
Chambers.

Chamber annulled the charter of the Irish Society, which, of course, also annulled the charter of the city of Londonderry. Then Bishop of Derry made an application to the Crown, and in the year 1625 obtained a grant of 1,000 acres from the Crown, which he afterwards granted to the Corporation of Derry at the rent of £50 per annum; but I must tell you that that grant so far recognized the claim of the Corporation, that it was given to him on the condition of his paying a perpetual annuity of £50 10s. to the Corporation, and he was obliged to pay it on getting the grant from the Crown. By a charter of Charles II. in the year 1652, the charter was again established. The leases fell out in or about the year '30 or '33, and the Corporation then applied to the bishop for the renewal, but he refused to give it. The Corporation then said—"These lands should all belong to us and not to the bishop," and there was a very long suit between the bishop and the Corporation, which resulted in an Act of Parliament being passed which gave all the lands to the bishop, but reserving the right to the Corporation to the £50 10s., and the Corporation has ever since received it.

237. There is the £1,500 besides that?—Yes; there was perpetual warfare between the Corporation and the Society about that. The Corporation said it was through their means the Society got the grant. The Corporation offered the Society a rent of £104 a year for these, which was their value at the time. The Society refused, but said they would give them at a rent of £200. Up to the year '48 there was perpetual warfare between them.

238. Mr. LAWRENCE.—Was there any arrangement between them in the year 1648?—Yes, and perhaps the best way to explain it would be in the words of the Governor of the Society.

239. Before the Select Committee?—No; before a Commission issued in 1854 to inquire into the state of the Corporation of London. The citizens of Londonderry entered into an arrangement to send over a deputation to give evidence before the Commission as to the Irish Society on account of it being an offshoot of the Corporation of London.

240. CHAIRMAN.—Does the evidence given before the Commissioners recite this matter?—Yes; it does. I will read you part of the evidence. The Commissioners were—the Right Honorable Henry Labouchere (chairman), Sir James Patteson, and Mr. Cornwall Lewis. The part which I shall read is from the evidence of Mr. John Humphrey, the Governor of the Irish Society. (Reads).—

"With respect to the 1,500 acres, we had that before us for a number of days; and in the year 1846, the Corporation sent a message to the Society requesting money, which I said we could not go into till we arrived at a full understanding with the Corporation; that they were desirous to make any arrangement with us that they thought proper, in order that they should not afterwards say the Corporation disputed the authority of those gentlemen. Therefore, they went back to Ireland, and they returned with the following document signed by the Corporation:—

"Council Chamber, Corporation Hall, Londonderry,
"23rd January, 1848.

"Alexander Lindsay, Mayor.

"The Mayor having informed the Council, that while lately in London, he had several interviews with the Honorable the Irish Society, respecting the claims of the Corporation upon that body, and that the Honorable the Society had informed the Mayor that the court of the Honorable the Irish Society had agreed that, provided the Mayor of Derry should come fully authorized by the Corporation of Derry to put an end to all the disputes alleged to exist between the two bodies, the Society would be prepared to enter into a negotiation with him, acting on behalf of the Corporation of Derry: It was resolved by the Council, that the deputation appointed by the Corporation on the 23rd of November last, be requested to proceed to London to confer with the Honorable the Irish Society, on behalf of the Corporation of Londonderry, and in the event of such an understanding being agreed on as shall be satisfactory, the deputation, or such of them as shall find it convenient to go, be, and are hereby authorized and empowered to settle all the disputes between the two bodies, and adjust all the claims of the Corporation upon the Honorable the Irish Society, and finally settle, confirm, and ratify the same. So witness the seal of the Corporation is hereunto affixed; which is witnessed by the seal doct."

"We had a number of meetings with respect to that subject, and

without going into all the arguments pro and con, we agreed to let to the court of justice, which was signed by myself, the Deputy Clerk, and all the members of the Irish Society present, and also by the four gentlemen who came up authorized with that document. At a meeting of the deputation from the Corporation of Londonderry, appointed under the seal of the said Corporation, dated the 23rd day of January, 1848, we held a conference with the Honorable the Irish Society, with full powers to act on behalf of the said Corporation in respect of the pending differences between the Society and the Corporation. A copy of the following resolutions passed by the court of the Society was read in the following terms:—
"As a result of the Honorable the Irish Society, held in the Irish Chamber, Guildhall, London, on Monday, the 23rd day of January, 1848, the Mayor of Londonderry (Alexander Lindsay), Aldermen Pitt Stephen, Aldermen Nelson, and Town Clerk Gordon, Mr. John, being a deputation from the Corporation of Londonderry, appointed on the 23rd day of November last, attended, and presented to order under the seal of the said Corporation, passed on the 23rd day of January, 1848, authorizing the said deputation to act, and on their behalf: The Mayor and deputation having being heard, it was resolved:—That this court, having taken into consideration the recommendation made to the Society by the Mayor and deputation of the Corporation of Londonderry, is willing, upon the re-establishment of the Society's Court at Londonderry, to grant, and to recommend the Society, that it be done, namely to grant from its funds the sum of £700 towards the payment of interest to the officers of the Corporation and the Honorable the Society, £200 to the Mayor, £200 to the Recorder and the officers of his court, and the remaining £500 to be applied, from time to time, subject to the approval of this court, and also will consent to the power of attachment exercised by the Honorable the Court, alleged to be applicable to parties only who are residing out of the country, if such be the desire of the majority of the shareholders of Londonderry." It was also resolved:—That this court will consent to the Londonderry Improvement Bill being passed, and the rights of the Society are properly secured and protected, and it was resolved for the due protection of the Society, and will assist the Corporation of Londonderry, on the Bill resolving the Boardman, in carrying out the scheme of the Bill, by a grant of £500, to be annually repaid by the Society in aid of the scheme of improvement contemplated by the Bill. The deputation having duly considered the foregoing resolutions, it was resolved:—That in the exercise of the powers conferred upon us by the said Corporation, we do hereby agree that all differences between the said Society and the said Corporation shall be finally ended and determined upon the terms contained in the said resolutions." Resolved:—That a copy of the foregoing document signed by the members of the deputation, be transmitted to the Irish Society in exchange for an authorized copy of their resolutions, to be preserved by such as a lasting memorial of the terms on which the said differences have been finally adjusted." That was the arrangement between the Corporation of Londonderry and the Corporation of London, and from that time to the present we have fulfilled our duties as far as that amount of money goes."

251. Mr. M. E. LANE.—I have certain complaints to make with reference to Rossmore, and also with reference to property belonging to myself at Nicholas-terrace, where the houses are large and would have brought in a considerable income, but from the way in which I have been treated by the Corporation I have been compelled to take surrenders of the leases. The Corporation, for example, would not waive the throughgoats, and therefore the city of Derry has been defrauded of the rates which this superior class of houses would bring in. I am prepared to make an affidavit that I am not prepared to bring my complaint properly before you sooner than Thursday next, in consequence of not having received sufficient notice of your intention to hold an inquiry in Derry. I have an engineer engaged in preparing maps, who would not be ready sooner than Thursday. I can tell you that the Corporation—and I can name the particular members of it if you wish—have persistently refused to do what was right with reference to the localities I have named.

252. The CHAIRMAN informed Mr. LANE that they could not protest their inquiry in Londonderry till Thursday, as arrangements had been made to do it in two towns before then.

253. Sir William Miller (Mayor), said that Crowford-square had been made by Mr. Crawford, a solicitor in Derry, who had since died, and the place was sold after his death. It was stated that Mr. Crawford had made a plan for connecting Crowford-square with Nicholson-terrace (the place referred to by Mr. LANE), but with that plan the Corporation had nothing whatever to do, because it had never been approved by the Corporation, nor indeed even submitted to them. Mr. LANE had called on the Corporation to make the roadway connecting the two places, but acting on the advice of their solicitor, the Corporation refused to do so.

MR. WILLIAM STAFFORD EXAMINED.

Examination
March 19, 1878.
Mr. William
Stafford.

234. CHAIRMAN.—As the dissolution of the old Corporation in 1840, I want to know did the new Corporation inherit any debt from them?—They inherited a debt upon the old bridge, which was paid off at the rate of £500 a year.

235. Was there any other debt?—There was a debt of £1,000 due to the gas company.

236. Was that secured by mortgage?—I could not say. The sum of £1,000 is still owing to the gas company, and was owing previous to 1840. That debt has never been paid off under the Act of 1848, and is still due.

237. Was there any other debt do you know, at the time of the passing of the Act of 1848, that was taken over by the Corporation?—No; there was no other debt.

238. Was there not a debt to the Bham Cent School?—I believe there was some such thing.

239. Mr. LAWLESS.—Do the Corporation pay anything to it?—No.

240. CHAIRMAN.—Did the Corporation inherit any property from the old Corporation?—We got some markets.

241. Some portion of your markets belonged to them?—Yes.

242. Mr. LAWLESS.—Did the town hall belong to the old Corporation?—Yes.

243. Then you inherited that?—Yes.

244. CHAIRMAN.—Now as regards the markets. Can you give me the particulars? The expenditure on the markets for the year ending August, 1876, I see, was £1,249 19s. 1d. How is that made up? What head rent do the Corporation pay for the markets?—£715 18s. a year; and then there are taxes, amounting to about £170 altogether.

245. What salaries are paid?—The superintendent gets £35 a year; and the clerk of the markets gets £100 a year.

246. What other expenses are there?—About £16 a year for handbills; and repairs and other expenses about £100 for the year which is about the average.

247. These do not make up the total. Have you the particulars of that total?—No.

248. Mr. J. F. STONE.—I am anxious to learn how it was that the mayor's office was changed from the court-house to the town hall.

249. CHAIRMAN (to witness).—Can you tell?

250. The Mayor.—Of course the matter took place before my time, but I understand the way it occurred was this. Under the old Corporation the city and the county were in the same jurisdiction—there was no separate staff of magistrates for the city and the county. After the new Corporation came into existence there was separate jurisdictions made—with city magistrates; and the county people as I understand insisted that the mayor's office should be removed from the county court-house. That, the town clerk informed me was the reason why the mayor's office was removed to the town hall.

251. Alderman DAVIES.—There was an arrangement made between the Grand Jury and the reformed Corporation by which the Grand Jury gave a sum of money to fit up a part of this hall for a Petty Sessions Court, and for the accommodation of the city magistrates in consideration of their foregoing any claim to the court-house which the Grand Jury required for holding the sittings.

252. CHAIRMAN (to Mr. Stafford).—How are the markets held do you know?—One portion of the Victoria-street market is held in perpetuity and part under lease.

253. What is the rent of the portion held under lease?—£285; a very large rent. Pease-street market is held in perpetuity subject to a rent of £140 under a lease for ever.

254. The Mayor.—It is in the best business part of the city.

255. Mr. Stafford.—The Waterside market is also held in perpetuity.

256. CHAIRMAN.—Is there any rent payable for that market?

The Mayor.—It was built under the Act of 1864, and I think there is no rent payable for it.

Mr. Stafford.—The next is the Albert market held in perpetuity at a rent of £250.

257. What about the cattle market; how is it held?—It is held under lease.

258. What term of lease?

The Mayor.—That lease is very nearly out now.

259. Was it for ninety-nine years?

Mr. Stafford.—There is not very much of it to run. It is subject to the rent of £47 18s. per year.

260. What is the Society-vale market or Horse Market?—It belonged to the old Corporation, and is held in perpetuity subject to a rent of £285 a year. The Corporation let it, as the best mode of dealing with it; but they do not get the rent they pay for it; there is a loss of £23 a year.

261. Is that horse market the only one of these markets that you got from the old Corporation?—No; the ground upon which Sir Edward Road's market is now built was also got from them.

262. Are there any other markets by which you lose money?—No; we do not lose money by any of the others. Since we have let that market we lose less by it than we did when it was a potato market.

263. The slaughter-house is of recent construction; do you not pay £20 a year for it?—Yes.

264. Have you got a lease in perpetuity for it?—I think it is held in perpetuity, or for 999 years.

265. What is your estimate in the average annual profit derived from the markets after deducting expenses?—About £1,150 in round figures.

266. Can you give me the valuation of the whole borough now?—Yes; it is £20,032 10s.

267. Is that the last valuation?—Yes; the valuation in March last.

268. Is that an increase on what it was ten years ago?—The valuation in 1848 was £24,000.

269. It is a very large increase since 1848?—Yes.

270. The Mayor.—But the borough was extended since 1848.

271. CHAIRMAN (to Witness).—I want to know if the valuation has increased since the extension of the borough; can you give me the valuation since 1854? It has not increased much since the year 1871; my friend Mr. Lee has said that in 1871 the valuation was £46,834, and now it is £69,031 10s. 3d.—Yes.

272. Can you give me the wards now—the separate valuation of each of the wards?—The valuation of the East ward is £23,140.

273. Can you give me the number of burgesses as well?—The number of burgesses in that ward is 393. The valuation of the North ward is £27,648, and the number of burgesses 247. The valuation of South ward is £16,245 10s., and the number of burgesses 137.

274. The South ward is a very much smaller than either of the others?—Yes; it is.

275. Does each of the wards return the same number of members to the Town Council?—Yes; just the same.

276. Was there the same disproportion between these wards at the time you were sitting out under the Act of 1840, or was it caused since the extension of 1864?

The Mayor.—I do not think it has arisen since the extension of the borough. The South ward is situated where it is not at all likely to increase much. The other wards are in the neighbourhood of the river, and the trade and extension of the town is going in that direction.

277. They remain as they were, but with certain additions?—Yes.

278. What I want to know is whether the great difference in the wards arose subsequent to the additions, or by the additions?—I do not know.

279. To Witness.—What is the claim of people living

LOWERY. in the South ward. Are they poor people?—Not exactly.

280. But the houses and places most highly rated are in North and East wards?—Yes; with the exception of this street which is in the South ward.

281. Do you mean the main street of the city?—Bishopstreet?—Yes; it is in the South ward. The different wards all meet in the Diamond where the town hall is situated.

282. The principal street is in the South ward?—Yes.

283. What is the area—the entire area—within the municipal jurisdiction?—2,032 acres. I can give you the acreage of the different wards. The East ward is 811a; the North ward 469a. 3a. 9c.; and the South ward 751a. 3a. 13c.

284. The North ward is the most closely built up, and the other two run more into the suburbs?—Yes.

285. The North ward has the smallest acreage, but the largest rateable value?—Yes.

286. Are the people satisfied with the present distribution of the wards?

The Mayor.—I think so; I am not aware of any application having been made for a redistribution. The East ward, of which I am one of the representatives is on both sides of the river.

287. To witness.—Was any notice given by the town clerk of our coming here to hold this inquiry in this town, previous to the advertisement in the *Journal* of Saturday last?—No notice was given previous to that, but it was put in the newspapers.

288. When were the newspapers in which it appeared published?—On Saturday last.

289. Were no notices or handbills put up explaining the public with the matter?—No.

290. Why did you not notice it earlier than Saturday?—I think it must have been owing to Mr. Gregg's illness.

291. Was Mr. Lane right in saying that there was no public notice whatever given until last Saturday?—He was.

292. And no notice was given except that in the newspapers?—None.

Mr. William James Robinson

Mr. William James Robinson examined.

293. CHAIRMAN.—Are you the engineer of the Corporation?—Yes.

294. How long have you been engineer for the Corporation?—Three years last January.

295. Have you charge of all the repairing of the streets and the construction of sewers, and supervision of the waterworks?—I have.

296. Mr. LAWRENCE.—Are you a professional engineer?—Yes.

297. CHAIRMAN.—Can you give the details of the item of £4,303 13s. 3d. under the head of "streets and roads" on the expenditure side of the account?—I have not been able to complete the calculations, but so far as I have gone, I can give you the result. The sweeping and cleansing—

298. Is that done under your supervision?—Yes.

299. As well as the construction of the roads?—Yes; everything of that class is done under my supervision. The sweeping and cleansing cost £860; surface repairs cost £250; and the materials supplied by the Corporation for repairing the roads £1,383 4s. 10d.

300. Does that include the flagging?—No; the balance would be expended on what we call permanent improvements to the city. The total, exclusive of these, would be £2,743 4s. 10d.

301. That would leave about £1,560 to be accounted for—the total amount being £4,303 13s. 3d. 1.—That balance I should say, would be for different works in connection with the city, such as flagging. I have not had time to make it out yet.

302. Has there been a considerable amount of flagging done?—Yes; a very large amount.

303. About how much of that remaining £1,560 odd would be expended on flagging?—I think about £360 and perhaps as much more for kerbing and the various other works carried out in the city, such as repaving the city walls.

304. That would take up about £1,000?—Yes.

305. Was there anything expended on sewers?—Yes; I have a staff of men employed constantly on the sewerage.

306. Was any of the balance expended on the sewerage?—Yes.

307. Did you make any new sewers during the last year?—Yes; several.

308. What length? Because you could not make many new sewers for £500?—They were several small sewers and pieces of sewers.

309. But I do not mean connecting sewers; I mean main sewers?—The only new sewer we made during the year was in Belmore-estee.

310. About what length of new sewerage did you construct there?—It cost about £140.

311. Taking the streets of the city altogether, are

the great bulk of them sewered?—provided with main sewers?—The great bulk are provided with main sewers, but a scheme of drainage has been contemplated.

312. And before application has been made for a loan of £15,000 to carry it out?—Yes.

313. That loan is also partly for the waterworks, is it not?—Yes.

314. Are the sewers already existing well constructed sewers, or are any of them old and imperfect?—I find the sewers in the lower parts of the town to be of insufficient capacity, but the sewers of the city in general are pretty good. They are stoneware pipes but some of the main sewers are the ordinary brick sewers.

315. Those of course are not very good?—My experience of the stoneware sewer is that it is better, so far as its capacity is concerned.

316. Are the houses generally opening connected by drains with the main sewers where main sewers exist?—I may say that almost in every case they are.

317. In cases where they are not connected, are notices served by the Corporation to compel the parties to make such connections?—When any new houses are being built the people submit drawings and are bound to show that these connecting sewers will be made.

318. I suppose the plans of the houses are submitted to you?—They are.

319. But with regard to old houses that have been built for some time and are not connected with the main drains, are steps taken by the Corporation to enforce the making of connecting drains?—Under the sanitary Act they are.

320. You, I believe, are the executive sanitary officer?—I am.

321. Are you aware whether such notices are served on these parties?—Yes.

322. Do they pass through your hands?—Yes.

323. Do you find a readiness on the part of the inhabitants to carry out the requirements of the sanitary authority?—I do; on all hands.

324. On the part of the inhabitants?—Yes; perhaps in ninety per cent. of the cases in which we are called upon to interfere, we find a readiness on the part of the people to comply with our requirements. We have had very few prosecutions. We have had a great deal of business brought before the sanitary committee, and in the great bulk of the cases the work was carried out.

325. Do you mean upon the first notice being received?—On receiving what we call the executive sanitary officer's notice. A notice is given in the first instance by the sub-sanitary officer when he discovers a nuisance, and if he afterwards sees that it has not been abated he reports to the sanitary officer; at least

ninety per cent. of the nuisances are abated without any further proceedings.

334. Do you find the sanitary committee of the Corporation anxious to carry out the recommendations of the sanitary officer?—I do.

335. How often does the sanitary committee meet?—On every alternate Tuesday.

336. Mr. LAWLESS.—How many members does the sanitary committee consist of?—Three forms a quorum.

337. CHAIRMAN.—Are the back streets and smaller streets of the city as well flagged as the main streets appear to be?—We are doing something at present to a large number of the back streets and lanes. Each half year I submit an estimate for flagging, kerbing, &c., the amount of which the Corporation expend on these works so far as the funds in hand permit.

338. Have you power to increase the staff of scavengers if you consider it necessary?—The Corporation leave that in my hands; the men are entirely under my control.

339. In case of bad weather or in case a horse fair is held, or that which would cause additional work for the scavengers takes place, can you employ a number of additional hands?—Yes.

340. You are not limited as to the number of men you are to employ?—No; each fortnight I submit the accounts of the scavenging, with the men's names, &c., which is very closely looked into by the committee for the purpose of seeing if I have expended anything wrongly.

341. Does the committee give you a cheque?—Yes; the pay clerk pays the men and gets a receipt for the amount of their wages.

342. You are not the pay clerk?—No.

343. There are some building clauses in the Act of 1864; what building clauses have you in force here? Are all the plans of houses submitted to you?—Yes.

344. Is it your duty to see that the owners comply with your requirements and to enable you to see that they are properly carried out?—Yes.

345. Whose duty is it to lay out new streets or roads?—The owners of property who intend to build, in the first instance, are supposed to carry out this work and to leave the road in proper order.

346. Are they bound to do it to your satisfaction?—Yes; if they do not do so the Corporation will take them over into their own charge.

347. Mr. LAWLESS.—Under what Act are you bound to certify that they are properly constructed? Is it under the Act of 1864?—Yes.

348. CHAIRMAN.—Have there been many new roads and streets opened since the passing of that Act of 1864?—There have not been many in my time.

349. You are only three years engineer, I am aware, but I thought you might know the fact?—There has not been many.

350. Have there been many since you have been surveyor?—There are some in progress at present. There have been some taken charge of. Three new streets, and some others are in progress.

351. Has the lighting of the town been extended or improved since you became surveyor?—There have been a number of additional lamps put up in the town where it was considered necessary to do so.

352. I am speaking of the town since the extension. Unless houses are within 100 yards of a lamp the Corporation can only levy one-third of the rate. I want to know if more lamps were put up, and more houses by that means brought under the full rates?—I can only charge my recollection with one.

353. The Mayor.—There were a number of lamps put up after the passing of the Act of 1864; probably one-third additional lamps put up.

354. Was Rosemount part of the district added to the city by the Act of 1864?—Witness.—Yes.

355. Is Nicholson-terrace another part of what was added to the old boundary by that Act?—It is; I am not so positive of that part.

356. Can you tell me how many streets which were

previously liable only to pay one-third of the rates, now pay the full rates?—I cannot tell you.

357. You cannot give me any idea of the additional area brought in to pay the full rates by the extension of the lighting?—I think there were very few streets except Rosemount brought in.

358. What I want to get at is this. I infer that there is a feeling that some people are paying the full rate where they are only liable to pay one-third of it. Can you tell me how much of the area that was added to the city in 1864 was not made liable to pay the full rate by reason of not getting an extension of the lighting?—The only street which I can speak of at present as getting it is Rosemount.

359. Is Rosemount now lighted by the Corporation?—It is partially lighted. There are three lamps in Rosemount.

360. How many houses do these lamps bring within the lighted radius?—I do not know.

361. Is Rosemount now lighted?—It is.

362. Are these three lamps situated at three openings in Rosemount?—Yes.

363. Is there any lamp at the other end of Rosemount at all?—No.

364. How many lamps ought there to be in your judgment in order to light that part of the town sufficiently?—I think there should be ten lamps. I have lately gone into the question of the sewerage of Rosemount, and this estimate is one that I prepared, and which I am to bring before the Corporation on the next day. (Hands in the estimate of an expenditure of £284 15s. for the main sewerage of Rosemount; £76 10s. on Ashburn-street, partly for sewerage and partly for kerbing; £22 10s. on Donegall-street; £27 2s. 6d. on Cottage-row; £25 18s. on North street; £27 13s. 6d. on Rosemount-terrace, making a total estimate of £280 1s. in sewerage, and kerbing, and repairs in Rosemount.)

365. Do you propose to put up additional lamps?—Yes, ten, namely:—two in Osborne-street, two in Donegall-street, two in Cottage-row, two in North-street, and two in Rosemount-terrace.

366. Do these three lamps in Rosemount which you referred to being within the radius of full taxation all the houses in North-street, Rosemount-terrace, and Cottage-row?—They do not; they are more than 100 yards from them—some of them are.

367. Are Donegall-street and Osborne-street within 100 yards of the lamps?—Neither of them are.

368. Do the houses in Osborne-street and Donegall-street pay only one-third of the rates?—That is all.

369. And is it the case that only a portion of the houses in the other places—North-street, Cottage-row, and Rosemount-terrace—pay the full rates?—Yes, it is contemplated to assess the property with this expenditure for the purpose of compelling these streets to be brought in.

370. If the Corporation lay out this £280 in sewerage and on the formation of the streets, what portion of it will be borne by the Corporation, and what by the owners?—I should say it will all be borne by the owners, with the exception of the cost of the lamps, which, of course, will be paid by the Corporation.

371. Is it at the request of the owners of houses in these streets that the Corporation are going to expend this money, or is it at their own suggestion?—I prepared the estimate by the direction of the Corporation. The owners were complaining that the streets were not properly kept in order, and were continually coming before the Corporation about it.

372. Did owners in the street of Rosemount complain of the deficient lighting?—They complained of the state the streets are in, and of their being imperfectly lighted.

373. And did the Corporation, in consequence of these complaints, direct you to make an estimate and ascertain what would be the probable costs of putting these streets into a proper state of repair, and lighting them properly?—Yes.

Continued.
March 28, 1871.
Mr. WILLIAMS,
James Robinson.

1880-1881.
March 26, 1877.
Mr. William
James
Roberts.

363. And is this the estimate you prepared under that direction?—Yes.

367. To the best of your judgment, as a skilled engineer, do you believe that if the Corporation grant the sum put down in this estimate, you will be able to put these streets in a satisfactory condition as regards sewerage and general repair?—Yes.

368. And do you believe that no additional lamps will light them satisfactorily?—I do; there is no difficulty with regard to the drainage of Cottage-row, part of Donegall-street, North-street, and Rosemount-terrace. The great difficulty is with regard to Osborne-street and Cross-street, and the lower part of Donegall-street.

369. What is the nature of the difficulty?—The full runs in an opposite direction from Donegall-street.

370. The highest point is apparently between Donegall-street and Cottage-row?—Yes.

371. And I suppose you have no outlet there?—No; that is where the difficulty is.

372. Where could you get your outlet?—My scheme is to cut down to the depth of twenty feet.

373. Is the existence of the difficulty in getting an outlet the reason why this work has not been done before?—That is the reason.

374. Where is your outlet from these streets where there is no difficulty in making the system of main drainage?—There is a sewer in existence—a ten-inch stone sewer which runs into the scheme of main sewerage. I would make an angle at the Rosemount corner and run it into the Baskin Burn.

375. Is that an open watercourse?—It is a large natural watercourse, arched over sometime since.

376. Is it, at the point where you would drain into it, a covered watercourse?—Yes.

377. And all the way down?—Yes.

378. Is there a natural flow of water in it?—Yes.

379. Are there any houses along it?—No.

380. Does it run through the open fields?—Yes; except that Wynne's Institute drains into it.

381. What is Wynne's Institute?—It is a charitable institution.

382. Mr. Lane.—The surveyor states that on to-morrow he is going to bring before the Corporation a certain system of drainage, and says that it will require an expenditure of £800 to drain Rosemount; now I say that it could be properly drained for £50.

383. CHAIRMAN (to Witness).—Mr. Lane states, that in his opinion this place could have been drained at the same time that you drained certain other streets, at the additional outlay of £50?—I cannot agree with that; because the difference between the summit and the corner of the road at Osborne-street is fifteen feet, I propose to sink it four feet, and allowing then for the fall, I consider it ought to be sunk from twenty-two to twenty-three feet from the summit.

384. Would it cost more now to do this work than at the time you made the original sewer?—I think it would cost more now.

385. Was Osborne-street built then?—Yes.

386. Was it in a condition to require drainage?—I believe it was.

387. When was that existing drainage made?—It was made in 1856.

388. Before the Act of 1854 was passed were all the houses now in Rosemount built?—I believe they were.

389. The Mayor.—They were not.

390. CHAIRMAN (to Witness).—Could you at the time when the sewers were made for North-street, Cottage-row, and Rosemount-terrace, have drained Osborne-street and Donegall-street at a less cost than now?—

Yes; because the price of labour and materials was less than now.

391. Now you consider your estimate a moderate one for this work?—To the best of my belief it is.

392. There are two plans proposed—one is for draining into the Baskin Burn—at present it is carried down there?—Yes; by permission of the people concerned.

393. Have you any reason to doubt that the same permission would be given for draining Donegall-street and Osborne-street?—I have no reason to doubt it.

394. If you were to adopt the other plan of drainage, could you do it at a less expense than by going into the Baskin Burn?—There would be very little difference in the cost of the plans. The reason why I adopted this course was, because I was informed that the trustees of Wynne's Institute reserved to themselves the right at any time to interfere with the course of the sewer, and in consequence of that I gave the preference to the other plan.

395. The plans are not passed, and they are still open to consideration. Your estimate is based upon carrying the sewage into the Baskin Burn?—Yes.

396. Would it be at all reduced if you did not adopt the Baskin Burn scheme?—There would be very little difference. The only difference would be caused by having to go round one part of the road.

397. Can you give me an estimate of what it could have been done for at the time of making these other sewers?—I should say, perhaps for twenty-five per cent. less than the amount of that estimate.

398. Have you charge of the waterworks?—Yes.

399. Is water laid on all these houses in Rosemount?—There is a main pipe, and these houses are supplied with water, but the main pipe is on the Craggan-road, and I believe it was put down by the owners of property. There has been a main put down by me, from one point to another, last year.

400. Mr. LAWLESS.—Are there any service mains up these streets?—There is no accommodation but what was made by the owners of property.

401. CHAIRMAN.—Why have they not laid service mains?—They were not put on the full rate till last year.

402. Were none of these houses in Rosemount brought under the full rate till last year?—I believe not.

403. When were the three lamps put up?—These three lamps are put up a long time.

404. When were they put up?—They are up about nine years.

405. Have they paid the full rate in Rosemount for nine years?—No; only one-third of the rate.

406. When did they first pay the full rate?—Last year. There was a memorial from a number of the inhabitants of Rosemount asking for the water to be laid on the Craggan-road. That memorial was referred to me, and I was asked to report. I went and inquired why they had not received the water, and I remembered that they were only paying one-third of the rate—that is, the men who sent the memorial, and who were living where there were lamps, were only paying one-third of the rate. I reported the reason they had not the water—because they only paid a third, and the matter lay over for some time, the Corporation not taking any action. A second memorial came in, and the attention of the Corporation being drawn to the fact that there were lamps in the locality, an order was made putting them under the full rate.

407. The lamps were there for nine years, but no one was charged more than one-third of the rate?—Yes.

Mr. ROBERT HUGH examined.

408. CHAIRMAN.—Do you live in Rosemount?—Yes.

409. In which of the streets there?—In Donegall-street.

410. Do you pay only one-third of the rate?—Yes.

411. Are you outside the district lighted by these lamps?—Yes.

412. Then you do not know how much the other people pay?—No, I do not.

Mr. Robert
Hugh.

Mr. ROBINSON'S examination resumed.

Continued.

April 12, 1877.

Mr. Robinson.

413. **Witness.**—I got the receipts of the man I spoke to at the time I went to report, and saw that he only paid one-third the rate.

414. Were the drains there before you became city surveyor?—Yes, for a long time before it.

415. You say that the water is not laid on to all these houses?—There is a water main laid on the Croydon-road.

416. But there is none down these streets?—There are branch mains. The water is supplied by the Corporation.

417. Is all done for these houses that is done for the other houses in the town?—No; there ought to be a main in the street.

418. Is there any other part of the town not supplied with water?—No, I believe not.

419. Have you had complaints from any other part of the town?—No; there are no other parts of the city without water. There are streets in progress where there have been orders given to lay mains.

420. Are those the streets you referred to some time ago?—Yes; no finished street at present wants for water.

421. Is Nicholson-terrace supplied?—It is.

422. Is it properly drained?—It is.

423. At the cost of the owners?—Yes; Nicholson-terrace is not finished yet.

424. Is it lighted?—It is.

425. Is Stuart-street finished yet?—That matter came before the board several times last year. The Corporation offered the owner the right to drain into the Benkin Burn, but it is now drained into a cess-pool.

426. Was he not bound to submit plans of the drainage before the houses were built?—He was.

427. Were you satisfied with the plans?—I was not. He did not submit plans to me. The upper part of the street was built before my appointment, but as soon as he began to build I reported to the Corporation, and proceedings were taken against him. He came into the magistrate's court, and said that when he submitted plans of the part first built he also submitted plans of the latter part.

428. Did you try to prevent him from draining into this cesspool?—Yes; but the case was dismissed by the magistrate.

429. How long ago?—About two years ago. The town clerk was produced as a witness at the time, and said that he did submit plans, but such plans could not be found in the town clerk's office.

430. Is water laid on to these houses?—Water is laid on, but not by the Corporation.

431. Are these houses within 100 yards of the public lights?—No; and the people only pay one-third of the rate.

432. To witness.—Is Nicholson-terrace lighted?—Yes.

433. And do the people there pay the full rate?—I really could not say.

434. Do you know anything about supplying water to the shipping? Is there any waste of the corporate water in supplying the shipping?—I believe the shipping is supplied from the public water supply, and it is paid specially for.

435. The Mayor.—If the supply of water runs short we always decline to give a supply to the shipping.

436. CHAIRMAN (to witness).—Do the shipmasters pay for whatever water is supplied to them?—Yes.

437. Has the water supply for the town run short? and have there been any complaints about it since you have been surveyor?—Yes; we had a very good supply last year, but the year before that the supply ran short. There has been an improvement made in the reservoir, and I do not think there will be any complaint this year.

438. Was it said at that time that you were supplying the ships at the expense of the inhabitants—that the water went to the ships instead of the inhabitants?

—I heard of a number of complaints going before the Corporation on this subject.

439. And were you then told not to give a further supply to the shipping?—The water superintendent sees after these matters, and can tell you more about it than I can.

440. Are the sewers flushed by the waterworks water?—From the commencement of the winter till perhaps this season of the year they are.

441. Last summer you say there was no scarcity of water?—Yes.

442. What is the quality of the water? Has it been analysed?—It is analysed once a month.

443. By whom?—Professor Leebold.

444. What has been the result of his analysis?—He only complained of the quality once, but even then he said it was much above the quality of ordinary water.

445. I suppose the town clerk has his analysis?—Yes; the Professor's report is submitted every month to the Corporation.

446. Mr. LAWSON.—You say that persons about 5000 houses must now submit the plans to you?—Yes.

447. In order that you may see that the requirements of the Act of Parliament are complied with?—Yes.

448. When you get such plans do you examine them?—I do.

449. Do you mark your approval or disapproval of the plans when bringing them before the committee?—I mark my approval or disapproval of the plans and submit them to the police and markets committee.

450. Do the police and markets committee adjudge on these plans?—They do.

451. Are there provisions in the special Act of Parliament requiring that the plans and specifications shall be to the satisfaction of the Corporation?—Yes, there are.

452. Have you ever found that your approval or disapproval of the plans is disallowed from by the police or markets committee?—I have not.

453. Do you recollect any case of it?—I do recollect one case of it; it was about frontages, and the police and markets committee differed from me; they thought it was something about title, and the building was allowed to go on.

454. We were talking a good deal about Rosemount. Leave it out of consideration just now, and tell me are all the other small streets and lanes in the city, where the poor people live, well and sufficiently drained by main drains?—They are all either sufficiently drained at present or taken into consideration in the contemplated scheme of drainage.

455. Do you say, that the contemplated scheme of drainage embraces every place in the city where the drainage is defective?—Yes.

456. CHAIRMAN.—There was a report here handed to me dated the 5th October, 1875, by Dr. Brown, the consulting sanitary officer, upon which I see you made another report?—Yes, I did so by direction of the committee.

457. Was that report of Dr. Brown's submitted to the sanitary committee?—Yes, and it was directed to be printed. I was directed to examine it and make a report.

458. Is this your report dated 5th October, 1876?—Yes.

459. You reported exactly a year after Dr. Brown?—Yes.

460. Was this report printed by the order of the committee?—Yes. I directed the sub-sanitary officer to make a house-to-house inspection, and then made my report.

461. The report says that there are 2,188 privies, and 878 water-closets attached to houses, and that 597 houses have no accommodation of either water-closets or privies?—Yes.

1423. I presume that was the state of affairs then?—*It was.*

1424. Was not the pail system recommended by the sanitary officer?—*Yes.*

1425. Is that system in operation here?—*No.*

1426. Can you tell me whether when he found what the expense of adopting that system would be he still advised the adoption of it by the Corporation?—*No; he did not. We went fully into the particulars regarding it.*

1427. At what did you estimate the first cost of the pail system?—*At £3,082, and taking into consideration the profit arising from the sale of the manure there would be a loss to the Corporation of upwards of £3,500.*

1428. Did Dr. Brown or you advise the adoption of that system?—*No.*

1429. What has been done with regard to the construction of privies where none existed; have many, or any, been constructed since?—*There have been some, but very few. There are a great many yards where there are no privies.*

1430. What do they do with the excreta?—*They remove it.*

1431. But where do they remove it to? Is it into the streets?—*No; there are people who go about and buy it, and then sell it to the farmers.*

1432. Is there any system of removal by the Corporation carried on?—*There is not.*

1433. Are the houses pretty well provided with adjupts?—*They generally have adjupts.*

1434. Are those adjupts kept cleaned?—*They are kept pretty clean; the inspectors of the sub-sanitary officers have done a good deal of good in that respect.*

1435. Mr. LAWLESS.—Has any work of a really substantial description been done in consequence of that report?—*No.*

1436. I see in the reports some reference made to the practice of keeping pigs in the houses?—*We do not permit that to be done.*

1437. But Dr. Brown reports it as a practice that prevails very extensively in the town. Are pigs kept in the dwelling-houses of the poorer class of people?—*There are very few cases of it, indeed, and whenever a case of it is observed the sub-sanitary officer at once takes action.*

1438. The report says, "with regard to animals, and more particularly swine, special rules have been approved of by the sanitary committee, and are carried out by the sanitary officer." Now, first of all are the people permitted to keep animals in their yards?—*Outrinely.*

1439. Swine?—*Yes.*

1440. Are rules carried out by the orders of the sanitary committee for the removal of manure from pigsties within the week?—*Not within the week. There is provision made that where there is an accumulation of two tons of manure it must be removed at once.*

1441. How often are the parties required or compelled to remove the accumulations of manure from their pigsties?—*There is no particular time stated; the sub-sanitary officers are the judges of whether the manure heap is a nuisance or not.*

1442. They send the sanitary officer?—*Yes.*

1443. Where do the people remove the manure to? You do not provide them with a yard for that purpose?—*We do not.*

1444. You do not purchase the manure from them?—*No; there are some persons who are dealers in it, and they buy it from the people, and afterwards sell it to the farmers.*

1445. There is a manure yard I presume belonging to the Corporation into which the street sweepings are carried?—*There is.*

1446. I do not see any item of receipt from the sale of manure in the account. In most places we generally find a sum of money under that head?—*I may say that it is very little of it we sell. We sold it one year, and only got £10 for it. We put it up to public auction one year, and there was no one bid anything for it.*

They do not consider the street sweepings good manure, or of any value.

1447. Your streets are all unmacadamised I suppose?—*They are, with the exception of a very few, there are some of the streets not paved yet.*

1448. How often is it sold?—*I have a large quantity of it now, and I was just going to ask to-morrow what I am to do with it; last year I got rid of it to parties who bought it, and gave £5 10s. for it.*

1449. Where is the manure depot; is it in the city?—*It is inside the city boundary.*

1450. Are there any houses near it?—*It is near the Corporation yard.*

1451. Is it so near any houses as to be a nuisance to them?—*Foyle College is near it.*

1452. The Mayor.—The manure depot is in a most unfavourable place.

1453. CHAIRMAN (to Witness).—Has any report as to the position of it been made by the sanitary officer that you are aware of?—*No.*

1454. In your judgment is it so situated as to be objectionable?—*Well, I do not see where else we could have it. I have thought the matter over from time to time but I cannot see any way to any improvement.*

1455. Is your only difficulty that of getting another place suitable for it?—*Yes.*

1456. Have no attempts been made by the Corporation at any time to get a better site for it?—*They have directed me repeatedly to try, but I do not know that anything could be done.*

1457. Could not a place be rented for that purpose outside the borough boundary?—*This one is rented. It is outside the town and there are no houses within perhaps 300 yards or more of it. It is certainly better situated than the one in the suburbs.*

1458. Mr. LAWLESS (to Witness).—Does the sewage of the city run into the Foyle?—*Yes.*

1459. Are any parts of the city at all subject to floods?—*Yes; and very important parts of the city too. Very important parts have been flooded this year. The Strand road and several other places were flooded by the very high tides that we have had this year.*

1460. Does the flooding affect the sewers?—*We would require to keep a staff of men for the purpose of cleaning the sewers.*

1461. Is not William-street a low-lying part of the city?—*The lower part of William-street is low. William-street is always flooded when there is a high flood.*

1462. I suppose the high tides fill up the sewers and the matter in the sewers is forced back?—*I give a very full report about that matter, but I do not see in what way it can be remedied except by raising the streets.*

1463. Is it not the case that in some of the streets in Basement there are no sewers at all, and that in wet weather the sewage from one house flows into another?—*It is really in a very bad state; there is no doubt of it.*

1464. You say it is in a very bad state?—*That is as regards Osborne-street especially. At the corner of Osborne-street, and down from Donegall-street, it is most certainly in a very filthy state.*

1465. Whose property are those streets?—*I think they belong to Mr. Osborne.*

1466. Which are the particular streets the condition of which you say is so very defective?—*Osborne-street, part of Donegall-street, and Cross-street.*

1467. Are those all below the summit where existing drains are?—*Yes.*

1468. And you propose to sewer these places by the plan for which you gave as your estimate?—*Yes; either that or to do away with the houses entirely.*

1469. Why are these houses allowed to be built and occupied before there was proper sewage provided?—*I believe that Osborne-street was built before the passing of the Act. Of course I am only speaking from recollection.*

503. Do you mean before the Corporation had any power to compel the parties to provide proper sewerage?

—Yes.
510. Is that also the case with regard to Cross-street and Domesday-street?—Yes; I believe so.

511. They were also built previous to the time of the passing of the Act?—Yes; they were.

512. And is the reason that the Corporation have not made these sewers before this, because they believed it to be the duty of the owners?—Yes; under the 37th section of the Town Improvement Act.

513. Have they ever called upon the people to do it before they asked you to prepare your estimate?—I believe they have done so now.

514. Do you know if they have done so previously?—I believe they have.

515. CHAIRMAN (to the Mayor).—I want to know whether or not, before you directed the engineer to prepare an estimate of the cost of draining these streets, you ever called upon the owners to drain

them?—My impression is that the owners were called on. There is one thing I ought to remark:—Houses must be outside the lighted and watered area the people there were only paying one-third of the rate. They, by being brought in, were great gainers, because the county cess would be 4s. or 5s. instead of only 1s. 6d. in the pound.

516. Is it the case that if these houses had been built since the Act of 1864, you could have compelled them, but inasmuch as they were built previous to the passing of that Act, you had no power to do so?—It is certainly within my own knowledge, that within the last five or six years we have offered to the people of Rossmount to make it into a separate district.

517. Mr. LAWLESS.—Upon the terms, of course, that you would impose a special drainage rate?—Certainly. I may also say with regard to this estimate of the city surveyor's (the £290), that Rossmount will now be formed into a special drainage district, and be taxed to pay that amount.

Mr. JAMES EDWARD O'DONERTY (Solicitor) examined.

Mr. James
Edward
O'Donerty.

518. Witness stated that he appeared before the Commissioners on behalf of a number of clients, who desired to discuss the question, or to raise some questions regarding the levying of the rates, the amount levied, and the manner in which the money was expended. Owing to the very brief notice given by the town clerk to the magistrates of the intention of the Commissioners to hold an inquiry in Derry, they were not now prepared to come forward and give evidence of such a character as they desired to give on the subjects referred to. There was a number of considerable importances, who believed the feeling of distrust in Londonderry to be quite general, and many persons, and they considered the inquiry would be a force if they did not get a proper opportunity of coming forward, which opportunity consisted of giving them time to prepare to give evidence. He believed that the matters objected to (the raising and the expenditure of money within the borough) were such as came within the scope of the present inquiry. His clients also wished to make reference to the flooding of streets and houses in the city, which took place from time to time for the last ten or fifteen years.

519. The Mayor said that Mr. O'Donerty might go further back, and say, ever since the lower part of Londonderry was built.

520. The CHAIRMAN asked Mr. Donerty if their sitting on the following day (Tuesday) would not answer all purposes.

521. Mr. O'Donerty said that would not be the slightest use, so far as his clients were concerned.

522. The CHAIRMAN said there should be a tangible cause of complaint to justify their adjourning the inquiry. To engage in a vague roving investigation would be merely a waste of the public time and money. If Mr. Donerty could satisfy them that there were reasonable grounds for an adjournment either he (the Chairman) or one of his colleagues would come back and resume the inquiry at some future time.

523. Town Councillor *Signer* FOSCOCK said he knew there were persons who were living in Rossmount who were charged the full rate though they only had a right to pay one-third. They paid rates for improvement and there has been no money expended on the improvement of the streets in which they lived.

Sir W. MILLER (Mayor) re-examined.

Sir W. Miller,
Mayor.

524. CHAIRMAN.—In the absence of the Town Clerk will you be good enough to tell us whether or not the Corporation consider, at the present moment, that they have adopted Rossmount?—The view they take of the matter is this—that until the surveyor has certified that the streets are in a proper condition they cannot do so. They are bound by that, and the moment the law is complied with they will take them into their hands.

525. Were the three lamps at the corners of three streets in Rossmount put up by the Corporation?—I have no doubt they were.

526. And are they lit by the Corporation?—Yes.

527. Have the Corporation levied the full rate on all the houses in Rossmount, which are within the distance of 100 yards of those lamps?—Yes; when they can get the rates.

528. Has the payment of them been raised?—Yes.

529. And has the question been decided before the magistrates?—Yes.

530. What was the decision?—The town surveyor gave evidence to the effect, that measuring in a straight line (as the crow flies), the houses were within 100 yards of the lamps; but it was agreed on behalf of the inhabitants that, in taking the distance, it was necessary to measure round a corner, and on that the solicitor for the Corporation said he would

not press his case any further as he believed the majority of the magistrates were against him. If they are supplied with water and light they are bound to pay the full rate. It was on the application of a number of persons in that locality, which was repeated the second time, that the water mains were laid down and the additional lamps put up.

531. Unless you adopted them I do not see how you could levy a 4s. rate?—We have not done so.

532. I thought you had?—Only within the last year. The advice of the town clerk was to this effect:—that if the streets were made and supplied with water and light, that we were bound to levy the full rate, but that we could not expend any money on the streets until the surveyor certified that the streets were in order.

533. At the present moment you seem to be in this position; these streets are confessedly not sewered?—They are sewered.

534. Part of them are not. Cottage-row, North-street, and Rossmount-terrace are sewered; were they sewered by the owners or by the Corporation?—I believe by the owners—that is my impression.

535. The streets themselves are not sewered, but there is a main sewer runs from that point (the end of Cottage-row). I want to know was that done by the Corporation or by the owners?—My impression is that it was done by the owners.

LEEDSBOURNE,
March 15, 1877.
—
Sir W. Miller,
Mayor.

335. You now, as I understand, direct your surveyor to prepare plans for severing those streets?—Yes.

337. And for keeping them and levelling them, and improving the streets generally?—Yes.

338. If you do that of course you adopt the district?—Certainly; the moment that is done we will consider it adopted. The town clerk informed us that if, after a notice was served on them, the owners of property did not do this work we could do it ourselves—convert it into a separate drainage district, and levy a sewerage rate on it; and we have frequently made an offer to the owners on Rosemount to do that, but they would not consent.

339. There is Stewart-street and Nicholson-terrace on the map. Mr. Lane complains that the Corporation did not make a certain road—will you show me on the map where that road is?—The road is at the end of Nicholson-terrace. There is no denying the fact that Mr. Crawford, who was the owner of that property, intended that road should be made; but it was on his property, and it was a private arrangement. After his death it was sold in the Landed Estates Court, and bought by Mr. M'Adoo. We of course did not make the road, because it was a matter entirely for the owner.

340. I want to know whether there is any obligation on the Corporation to make that road?—Not in my opinion.

341. Have the Corporation been called upon to make this road?—Yes, by Mr. Lane, and also by Mr. Stevenson.

342. To open a road between Crawford-square and Hall-lane?—Yes. We were advised that we had no legal power to compel Mr. M'Adoo to make the road.

343. Had you no power to make the road yourselves?—If we had bought the ground we could.

344. Was there no compulsory power to compel you to do so?—No; there was not.

345. There was another complaint made about Hall-lane not being widened?—The school ground came over to the wall there, and it was distinctly refused to allow us to take any of that ground to widen that place. It is told there was some agreement with reference to this matter; but that agreement was twenty-five years ago, and as Dr. Grogan is now dead the Council cannot be held accountable.

346. Mr. O'Doherty then stated that he quite accepted the view of the Chairman, that it would be neither necessary nor desirable to re-open the inquiry on a future day, unless some tangible and reasonable grounds could be adduced for such renewed inquiry. He promised to take steps to satisfy himself whether any such grounds existed, and to communicate the result to the Commissioners, as he did not at that moment feel justified in asking for any positive adjournment.

347. The Chairman thanked Mr. O'Doherty, and said they should leave Leedsboorney the next day upon that understanding—that if any valid grounds could be adduced before them for re-opening the inquiry they would be ready to do so, and either be or one of his colleagues would return for that purpose, but otherwise the inquiry would be held to have now terminated.

[Subsequently, in Easter week, the Chairman received a letter from Mr. O'Doherty to the effect, that, from inquiries he had made since the Commissioners left, he did not feel he could lay any facts of sufficient importance before them to justify him in asking for a renewal of the inquiry.]

COLERAINE.—WEDNESDAY, MARCH 28, 1877.

(Before Mr. CONNERY and Mr. LAWLESS, Q.C.)

MR. JOSEPH COTTERMAN EXAMINED.

1. Witness.—I beg to state, gentlemen, that the Commissioners of the town feel themselves in a somewhat awkward position, owing to the recent death of Mr. McKillop, the town clerk, but we have endeavored to make up any possible deficiency as well as we could by the preparation of the necessary documents for the progress of this inquiry.

2. CHAIRMAN.—Were the Commissioners appointed under the Town Improvement Act of 1854?—Yes.

3. When was the Act adopted?—In 1851.

4. Are you the present chairman of the Town Commissioners?—Yes.

5. Have you been chairman more than once?—This is the third time.

6. How many Commissioners have you?—Fifteen at present.

7. Is that the number appointed?—The number appointed under the Act is eighteen. There were two disqualified for non-attendance and not signing the declaration, and there is a vacancy at present.

8. Previous to the Town Improvement Act of 1854 being adopted here, were you governed by the 9th of Geo. IV., cap. 82?—Yes.

9. Was that Act adopted previous to the passing of the Municipal Corporations Act of 1840?—Long before the passing of that Act. The town was governed by Commissioners appointed under the Act of Geo. IV. from 1828.

10. Then there were Commissioners here under the 9th of Geo. IV., at the time the Municipal Corporations Act of 1840 was passed?—Yes.

11. At the time of the passing of the Act of 1840, can you tell me what property was vested in the old Corporation?—Yes.

12. Did that property consist of lands of the gross annual value of £632 8s. 10d.?—Yes.

13. And markets, the tolls of which produced the net sum of about £300 per annum?—Yes.

14. At that time was there a debt outstanding of £3,893 13s. 4d.?—Yes; that debt was handed over to us, chargeable on the lands.

15. Was that a mortgage on the real property?—On all the property.

16. A mortgage on the tolls and estates?—Yes.

17. Mr. LAWLESS.—Now, that was a debt of the old Corporation?—Yes.

18. CHAIRMAN.—Has that debt been paid or does it still exist?—It still exists.

19. At what rate of interest?—Four per cent.

20. Is it all at four per cent.?—That mortgage lent four per cent., but I think there is a small mortgage at a trifle more.

21. I see by the statement with which you have furnished me, that in 1844 the Commissioners under the 9th Geo. IV., borrowed £2,400 additional with the consent of the Lords of the Treasury, for the erection of gasworks?—That is the case.

22. Is that loan also chargeable on the borough property?—Yes.

23. Mr. LAWLESS.—And is it still outstanding?—It is still outstanding.

24. CHAIRMAN.—Is that loan at the same rate of interest—four per cent.?—It is principally at the same rate of interest, but there is a small portion at four and a half per cent.

25. All the old debt was at four per cent.?—Yes.

26. Is the debt on the gasworks still outstanding?—Yes.

27. Was there no sinking fund required?—No; the Treasury required no sinking fund.

28. In point of fact, no sinking fund has been formed?—No; but there is five per cent. annually deducted in the books.

COLERAINE,
March 15, 1877.

Mr. Joseph
Cotterman.

CHAMBERLAIN.
March 25, 1877.
Mr. Joseph
Cuthbert.

52. The five per cent. is set apart as a rate for depreciation of the works?—Yes; depreciation in the value of the works as they now stand.

53. I see the gateworks are set down as being at present of the net value of £3,195 13s. 6d.?—Yes. We charge any permanent renewals to capital account and write off five per cent. for depreciation.

54. Is £3,195 13s. 6d. what the works are rated at as it is only the value set upon them in your own books?—That is our own valuation.

55. How many public lamps do you light?—111.

56. What do you charge the ratepayers for each lamp?—£2 10s. per lamp. I have been induced by the clerk that the gateworks are valued at £118 per annum.

57. That is not the valuable value. Isn't that only the rate levied on them?—No; that is the Government valuation, but we conceive that they are far more valuable than that.

58. Mr. LAWRENCE.—Are they taxed with a valuation of £118 a year?—Yes.

59. CHAMBERLAIN.—Are the lamps lit all the year round?—No, from 1st September to 15th May, except moonlight nights.

60. Are they lit all night from sunset to sunrise?—They generally commence to extinguish them about six o'clock in the morning.

61. Substantially they are lit all night?—Yes. The charge of £2 10s. per lamp is a matter of arrangement. It covers the expense of lighting them, and keeping them in repair. They are substantially lit all night, except six nights, of moonlight.

62. What price do you charge general consumers for the gas?—5s. 10d. per 1,000 cubic feet—that is about the lowest price in any town in Ireland of the same population.

63. You said that in 1861 you adopted the Act of 1854. In 1863 did you at the request of the ratepayers go to Parliament, and procure a Bill for the purchase of the River Bann from the Portrush Harbour Company, and for making improvements in the river?—Yes.

64. Did that Act give you power to borrow £10,000?—Yes.

65. Of which £10,000 was to be chargeable on all or any part of the estates belonging to the Commissioners?—Yes.

66. Was that £10,000 so borrowed, and charged on the estates?—Yes, the whole £10,000 was borrowed.

67. There was a sinking fund required by the Act?—Yes, a sinking fund of one-fourth per annum.

68. Has £1,584 been paid off by that sinking fund?—Yes.

69. That has reduced the debt to £8,400?—That is how it stands at present.

70. In addition to the £10,000 which you borrowed on the property did you borrow more money on the security of the River Bann itself?—Yes, we borrowed £8,735 on the River Bann alone, on the security of a sixpenny rate levied on the property within the municipal boundary, and dues on the river.

71. Under what Act is that 6d. rate levied?—Under the River Bann Navigation Act.

72. Is that the maximum amount you are empowered to levy?—That is the maximum amount.

73. Have you always levied that rate?—We have levied it for several years.

74. Can you say whether it has been levied ever since the passing of the Act?—I am not prepared to say, I rather think not.

75. I see from your statement that under the advice of Sir John Cocks, your engineer, you expended £14,000 on the dredging of the river?—Yes, irrespective of the sum paid for the purchase of the river, and the law expenses.

76. What was the amount paid for the purchase of the river to the Portrush Harbour Commissioners?—I think it was £3,000. We have got £1,000 per annum provided for twenty-five years from the Irish Society for the erection of piers at the mouth of the

river, besides £3,000 from the Irish Society, also for the work already done.

77. The £1,000 a year for twenty-five years is for the erection of piers at the entrance of the river?—Yes.

78. Are these works in progress?—No, we are trying to negotiate a loan with the Treasury for £50,000 more.

79. But you have not exercised anything like all your borrowing powers—you have borrowed only £18,735, while you could have borrowed £50,000?—We couldn't borrow more, because we couldn't give security for more.

80. You borrowed no more as you could?—Yes.

81. Mr. LAWRENCE.—Did you pay off the £3,000—the purchase-money of the River Bann?—Yes, that was paid off out of the borrowed money.

82. CHAMBERLAIN.—Have you got public waterworks in Coleraine?—Not at present; we have got a provisional order confirmed by Act of Parliament.

83. But you have not purchased or set up waterworks?—No, but we have at present an application for a loan before the Board of Works, which has not been yet approved of.

84. I see you have under the Public Health Act provided a cemetery?—Yes, towards which the Irish Society gave us £1,000. The Irish Society gave also a grant of £100 per annum for five years towards the erection of the waterworks.

85. What was the £1,000 for?—To purchase the site of the cemetery.

86. Did that cover the whole cost of the site?—It is not quite settled yet. We took it by provisional order, and the agreed has not been settled.

87. Is the cemetery in working order?—There have been three interments in it already, but the title is not yet confirmed.

88. Do you mean that in fact it has not been actually conveyed to you up to the present?—Yes. It was on lease to a gentleman, but he allowed us to take possession.

89. Has any other liability been contracted with respect to this cemetery?—Yes, there is a contract for erecting it at £540 or £550. It has been enclosed, and the contract money has been partly paid.

90. How has it been paid—has it been out of income, or is there a new debt?—We have opened a fresh account with our bankers for the cemetery, and that is overdrawn so far.

91. But there is no loan?—No; we have got the consent of the Board of Works to a loan for £1,000 to pay off this debt, build a cemetery chapel, and make other improvements.

92. Which loan has not yet been contracted?—No; but we expect to get it from the Board of Works.

93. It has not been advanced yet?—We have not got the money yet; but as the cemetery was urgently wanted we thought it better to go on with the enclosure after we got possession.

94. What about the waterworks loan?—We don't wish to enter into any contract with respect to the waterworks until we get the approval of the Board of Works for the loan we have asked for—£7,500.

95. Have you markets?—Yes; we have very good markets.

96. Did you inherit these from the old Corporation?—Yes. I believe it was in respect of the erection of these markets that the old Corporation debt was incurred. We are at present extending them, on a free site also given by the Irish Society. The extension will cost £1,300.

97. Do you levy tolls?—Certainly.

98. Are they a considerable source of income?—Yes; the markets are at present let to Mr. Neal Denagh for three years.

99. You let them annually?—Yes, by auction. They are at present let at £500 per year gross.

100. I see you value the lands you inherited from the old Corporation at £20,881 18s. 6d.?—Yes.

X

COBBERNAIG.
March 25, 1877.
Mr. Joseph
Cuthbert.

78. And the markets and plant are valued at £4,500 14s. 4d. 1.—Yes.

79. How did you arrive at that?—Well, there have been additions made to them from time to time.

80. Do you mean that they have cost that amount, or that they are at present of that value?—I think they are quite that value at present.

81. That is the estimated value?—Yes.

82. You estimate the town-hall at £5,322 12s. 3d. 1.—Yes; that is the cost price.

83. Would it sell for that?—It is a loss to us instead of a gain.

84. Was that built by the old Corporation?—It was newly built by the Commissioners. There was an old town-hall to which the Irish Society also contributed. I think they contributed £3,500 for the new town-hall.

85. You appear to have got a good deal altogether from the Irish Society?—Yes; and that was the first grant the Commissioners got from the Irish Society.

86. The gasworks you set down at £3,195 13s. 9d. 1.—Yes.

87. And you then estimate the total amount of your property, exclusive of the cemetery, at £34,590 17s. 5d. 1.—Yes.

88. What do you put down the cemetery at?—It is quite in an unimproved state, and I could hardly assess its value.

89. The old Corporation debt on the property, is it £3,859 13s. 8d. 1.—Yes.

90. And £8,455 is the balance due on the river mortgages payable out of the borough fund?—Yes.

91. And your mortgage on the river Burn fund is £8,735 borrowed?—Yes.

92. What is the mortgage on the gasworks?—£3,090.

93. That makes a total of £34,494 13s. 8d. 1.—Yes. Those are the entire of our liabilities—all of which, except the £8,735, are chargeable on the borough fund. The £8,735 is chargeable on the River Burn fund; and our Act, I think, requires that, in case the river becomes productive, we should repay the borough fund £10,000.

94. Is that a subsidiary charge?—Yes.

95. Can you tell me what rental do your lands now produce, and what was the rental they produced when you received them?—The gross rental is £787 14s. 1d.

96. And at the time you inherited them they produced £632 8s. 10d. 1.—I expect that must be the net rental.

97. Have any leases fallen in since the Town Commissioners became the owners of the land?—Yes; I believe all the leases have since fallen in, and the lands have been relet, with the exception of one large and two small holdings.

98. But with these exceptions have all the leases fallen in since the passing of the Act of 1840?—Yes. The only leases that are outstanding are, a lease to John O'Neill of forty-five and a quarter acres, at a rent of £47 3s. 10d.; a lease to the Northern Banking Company of property for which they pay a rent of £10 0s. 6d.; and a lease to Robert Parkhill at £1 a year. I think he holds as tenant at will at £2 a year. Then there is property put down at £59 3s. 4d. which has not been let by the Commissioners. I think the property for which £10 0s. 6d. a year is paid is held under a lease in perpetuity. John O'Neill's holding was let by the old Corporation.

99. I see that almost all the leases are of a very recent date?—Yes; nearly all in 1871, or from 1871 to 1874. There is one lease of the 3rd March, 1875, of 25a. 3s. 26r., at a rent of £28 a year, to Robert McConochy and David Edsall, but it has been charged hands since that.

100. That is very little more than £1 per acre. Can you tell me for what term has that lease been granted?—Thirty-one years. All these leases dated in 1873 and 1874, are for terms of thirty-one years from the 26th September, 1871.

101. Do you know the value of property presently well about here?—I think I know it pretty well. I wish

to state the basis on which these lands were let. To the Government valuation we added one-eighth, together with half the county cess, and charged the total as the rent.

102. Is that the basis on which all were let?—All, except in one instance, where the tenant had a very large amount of property.

103. Then were the holdings put up to public competition?—No; all the tenants have valuable interests in the holdings.

104. Have all the leases been renewed to the existing tenants?—There have been changes in the tenants. The outgoing tenant was always allowed to sell his interest in the holding.

105. Mr. LAWSON.—I suppose there is a recognition of tenant-right in these cases?—Yes; in all our lettings there is a recognition of tenant-right—of the tenant's right to sell.

106. CHAIRMAN.—How long have you been a Commissioner?—Thirteen years.

107. Were you the chairman at the time these leases were granted?—No.

108. Can you say whether or not a fair value has been obtained in every instance?—The Commissioners think they have been reasonably let, but they don't think they are underlet.

109. Whether do you think they are let above the value or below it?—Perhaps a little more might be extorted for them.

110. Do you think if you put them up to public auction you would get more for them?—We could not put them up to public competition without considering the old tenants' interest. They were nearly all the leases for thirty-one years that fell in in 1871. They had been granted by the Commissioners in 1846, about the time of the passing of the Act of 1840.

111. Mr. LAWSON.—Were there any leases granted in the interval between 1835 and 1840?—The Commissioners had no power over the property until 1840.

112. Were there any leases granted by the old Corporation?—I really cannot say.

113. Whereabouts are these lands situated?—They are all within an area of two or three miles of the town—the Liberties.

114. CHAIRMAN.—What is the area over which the Commissioners have jurisdiction?—The parliamentary boundary is 963 acres, and the municipal boundary 305 acres.

115. Does your property all lie within the area of the parliamentary boundary?—Oh, no; much outside that.

116. What was the population of the municipal borough in 1871?—6,032.

117. And at the same time, what was the population of the parliamentary borough?—6,552.

118. What do you say is the value of the property within the municipal boundary?—£11,790 7s. It is rated at. We have at present a memorial before the Local Government Board to extend the municipal boundary.

119. Is it to extend it to the limits of the parliamentary boundary?—It does not exactly coincide with it. The town is going in another direction.

120. You are not taking the parliamentary boundary as the basis?—Not at all.

121. Has the Local Government Board replied to your memorial?—Just formally. They have not consented to it.

122. Is it still before them?—Yes.

123. What extension do you propose? How many more acres would it take in?—It would take in an extent equal at least to the parliamentary boundary, or perhaps more.

124. Your present boundary being 305 acres, and your parliamentary boundary 963 acres, would the proposed extension bring your municipal area up to 1,260 acres?—Yes.

125. What is the number of persons entitled to vote at the election of Commissioners?—474—that was the number entitled to vote at the last election.

126. What is the acreage of the property under the

control of the Town Commissioners!—573A. 2s. 15s. That is taken from the Doomsday Book.

127. Mr. LAWLESS.—Do you mean by the Doomsday Book, the list of landed proprietors in Ireland prepared for Parliament?—Yes, the one published last year.

128. CHAIRMAN.—There are 602 acres identified by relating them?—Yes—these are all surveyed and mapped. The fifty-five acres of O'Neill's holding we got from an old statute—we haven't the old lease, or any counterpart of it. I am rather inclined to think it is in the hands of our solicitor who had some papers that he never returned.

129. Do you from the minute know the term of that lease?—I think there is only one life in existence now. It was a lease for years and lives, and the lives are all dead, but one who is now in Ararat.

130. When did the years expire?—Long ago.

131. Mr. O'Neill seems to pay you more rent than the others around him?—Yes, his is a more valuable farm.

132. I see he has got 45s. 1s., are they statute acres?—I think that is not statute, but old Irish plantation measure.

133. Are all the others let in statute acres?—Yes.

134. Generally speaking your lands are let at not much over £1 an acre?—Yes—there is one exception in which fifty-nine and a half acres are let to Henry Young, for which he pays a good deal more than £1 an acre—and there is a small letting of seven and a quarter acres to Samuel Coleman, for which he pays £12 a year. That is a valuable piece of land.

135. In any of the lettings which have taken place since 1871, have the lands been let to members of the Corporation or Commissioners?—In no instance.

136. Or to any of their near relatives?—I don't know of a single case.

137. You don't think that in any case the relationship of the Commissioners had anything to do with the granting of leases?—I don't think it had. Of course the Commissioners may have friends and acquaintances, and influence may be brought to bear on them, but I think the whole of the lands were fairly let.

138. Have you always adhered to the rule that the existing tenant had the priority in any claim when the letting was made?—I think we had no option as to it.

139. Do you mean that under the terms under which the leases of 1840 were granted, that was the stipulation?—The Commissioners have always recognised the right of the tenant to sell his interest in these holdings.

140. That is the tenant-right? I understand?—Yes. There is a matter which the Commissioners would like to bring under your notice with regard to the county rates.

141. What is the average of the county rates levied on the town?—About £1,400 a year. Of course it varies, but that is about the average.

142. What portion of that is expended within the borough?—Not £500 a year for the last four years.

143. The amount annually expended I see you have put down at £494?—That is the average.

144. Mr. LAWLESS.—How is that expended?—In maintaining the streets in repair—and in one or two instances contributions were made for footpaths. There has been a good deal of conflict between the Town Commissioners and the county about maintaining the footpaths. The Commissioners under the Act of Geo. IV. very foolishly, and I think illegally spent £1,500 in flagging the town—which the Act gave them power to do. They had a balance at their disposal, and they thought they would improve the town by flagging it.

Ever since the county insists that the Commissioners should maintain these flaggings in repair, which we think is a very great grievance. Now all or nearly all the flagging requires renewal, and the Town Commissioners have neither the inclination nor the funds to renew them. The county seems inclined to resist any effort on the part of the Commissioners to get them to contribute towards that object. Recently a resolution in favour of contributing was passed at the road meeting,

but the Grand Jury threw out the presentation for repairs which were urgently wanted in some cases.

145. Does the Grand Jury wish to do no more than to maintain the streets in repair?—Yes, and to pave the footways with ordinary paving, but they won't contribute anything towards the renewal of the flagging, except in one or two cases—such as the grant we got for the footway from the railway station to the town, which was tiled.

146. Is there a contract for sweeping and cleansing the streets?—Yes, the Town Commissioners pay £70 for having that done.

147. What ground rent do you pay for your markets?—£22 16s. 3d. is the head rent.

148. For the markets you hold in perpetuity?—Yes; these are the original markets, but the ground of the new site is by a grant from the Irish Society, at 1s. a year.

149. On what terms do you hold the site of the gas-works?—In perpetuity from the heirs of Lyle at £83 16s. a year, and a small addition from the Irish Society for which we pay £2 6s. a year.

150. Is that also in perpetuity?—No.

151. Mr. LAWLESS.—Do you pay any head rent?—No; it is held by prescriptive right.

152. CHAIRMAN.—What about the cemetery?—That is a freehold taken by compulsory purchase under the Public Health Act.

153. When you say the Irish Society granted you the site for additional markets, do you mean they granted it to you at a nominal rent?—Yes.

154. Beside the £22 16s. 3d. rent have you to pay taxes for the markets?—Yes; nearly £100 a year taxes.

155. I have got before me a copy of the last audited accounts of the Commissioners presented by Mr. SIMON, the auditor, on the 19th August last, showing the accounts up to the year ending 17th May, 1876. In May, 1875, you were in debt to your treasurer £324 16s. 6d.?—Yes.

156. And on the 17th of May, 1876, there was a balance of £10 16s. 7d. in favour of the Commissioners?—Yes.

157. Your receipts for the year for tolls and markets were £458 7s. 8d.?—Yes.

158. That is nearly £500 a year less head rent?—Yes; for that sum of £458 does not include one month's rent that had not been paid by the lessee. The rent is £41 13s. 4d. per month.

159. Had you received only eleven months' rent during the year?—Yes; but it was paid shortly after the accounts had been closed.

160. You received for the rents of land, I perceive £236 11s. You must then have received a good deal more than one year's rent?—Yes; there were some arrears come in during last year.

161. From your town improvement rate you received £631 1s.?—Yes; but that account must be adjusted afterwards. The Bann rate and the rate for general purposes are levied together. The Bann rate is 6d. in the pound, and the town rate 1s.

162. What is the maximum improvement rate?—1s. in the pound.

163. Have you always levied the 1s. rate?—We have, for several years. On the Bann account there is £94 18s. 4d. due to the Commissioners, so that it would reduce the £631 by that amount. Both rates represent about £875.

164. Are these the only rates you levy?—Yes; 1s. general improvement rate, and 6d. Bann rate.

165. You don't levy a sanitary rate?—We have not done so yet, but we must do so.

166. You seem to have let the town hall for entertainments or matters of that kind, and to have received for the use of the rooms, £53 15s.?—Yes.

167. What were the expenses?—The wages of caretaker, coal, &c., were £121 17s.

168. You received from the dog-tax and petty sessions fines £30 11s. 4d.?—Yes.

169. What proportion of that was dog-tax and what

CONTINUATION.
March 28, 1877.
Mr. Joseph
Cuthbert.

COMMISSIONERS.
March 15, 1871.
Mr. Joseph
Coffey.

proportion fines?—They were in the proportion of £12 and £18. The Commissioners received £3 from the Local Government Board towards the payment of the sanitary officer's salary.

170. I see £1 14s. put down as having been received for the use of the fair hill and sundries?—Yes; the fair hill is let for crores.

171. The fair hill is not the fair ground—is it?—It is part of the gasworks property.

172. Is it used as a fair ground?—It is, but we make no charge.

173. Is that fair ground let with the tolls and markets?—No. We charge nothing for cattle. We get nothing from the fair hill as a source of income.

174. I see £124 8s. 6d. transferred from the cemetery account. Can you explain that to me?—Yes; it was the outlay incurred for the cemetery work—which was transferred to the new account when it was opened. The borough fund, properly speaking, had been charged with the £124 8s. 6d., and it is refunded by the cemetery.

175. Is there an audited account of the cemetery?—No. It was just opened at that time.

176. Who is your treasurer?—The Provincial Bank.

177. You have no individual treasurer?—No.

178. Was, in fact, the £124 8s. 6d. transferred from the cemetery account to the credit of the general improvement account?—Yes.

179. In the same way I see £360 4s. 4d. was transferred to the general account from the new account of the waterworks?—Yes; that is money paid for engineering after obtaining the provisional order.

180. Will that be ultimately charged to the waterworks?—Yes.

181. In the meantime it is an advance by the treasurer to the improvement account to that amount?—Yes; both these advances by the treasurer will be ultimately repaid by him.

182. Do these sums bring up the total receipts to the credit of the general account to £2,441 10s. 9d.?—Yes.

183. Without adding the £394 13s. 9d. advanced by the treasurer that would make your receipts for the year, by the last audited account, £2,116 18s. 1d.—Yes.

184. There is no money as yet to the credit of the cemetery account?—Not yet.

185. Are both the advances by the treasurer on the faith of the loans?—They are.

186. Mr. LAWLER.—I thought you said the £394 8s. 6d. was advanced on foot of the improvements account?—There was no separation of the accounts, and the ordinary improvement account was charged with the outlay on the cemetery up to that date.

187. CHAIRMAN.—The first item on the expenditure side of the account is £384 18s. 6d. due to the treasurer on the last year's account?—Yes.

188. And then the charges on land, I see, amounted to £130 18s. 1d. 1s.—Yes; but that sum embraces the tithe-charge, half the poor rates, and half the county cess.

189. Does that sum embrace any charge for an agent or salaries?—No; but the clerk is paid a nominal sum—£10—for receiving the rents.

190. Is that included in the £130 18s. 1d. 1s.—I could not say; I think it is.

191. Have you no agent besides the clerk?—No.

192. Nor any man to overlook the lands and see that the fences are well kept?—No; the persons living on the property have a sufficient interest in the lands, in their own right, to look after that.

193. Have you a bailiff?—Yes; we pay a bailiff £4 a year.

194. Mr. LAWLER.—Does the clerk receive no percentage?—No.

195. CHAIRMAN.—The expenses with regard to your markets were, I see, £172 14s. 4d.—That includes the head rent we have already spoken of.

196. And what are the other expenses?—There is

nearly £100 a year for rates, and there were some improvements made on the markets.

197. Chiefly repairs, I suppose?—Yes, some permanent repairs, which the lessee was not obliged to do. The walls had to be pointed.

198. Is there any person employed by you to see that the markets are properly managed—anyone to overlook the lessee?—We have a market committee.

199. Have you no inspector of meat?—We have no inspector of meat. Mr. Darragh is, by the bye, bound to employ all persons necessary for these purposes. We have nothing to pay except the head rent, taxes, and any permanent repairs. Mr. Darragh, the lessee, has to look after the rest.

200. All you have to look after is the exterior?—Yes.

201. How were the markets let?—By auction, for three years, to Mr. Darragh. He had the option of taking them for three years. They are let by public competition.

202. When the markets were put up to public competition did you let them to the highest bidder?—Yes, we let them to the highest bidder.

203. The town hall seems to have cost you £121 17s. Does that include wages of the architect, scale, gas, and rates?—Yes, all the expenses connected with the hall.

204. What do you pay your caretaker?—We give him £30 a year and a suit of clothes.

205. Do the Commissioners maintain a fire brigade?—Yes, at the cost of £26 15s. 4d. There are three men appointed for that purpose.

206. Have you a fire-engine?—Yes.

207. Are the three men regularly told off for fire-brigade duty?—Yes, every night. They act in the double capacity of a night-watch and firemen. We could not legally call them night watchmen. We could not employ the constabulary, for we found the expense of the constabulary were so much that the town could not afford it.

208. What do you pay these three men each?—12s. a week and their clothes and hats.

209. Are they supposed to be on duty all night?—Yes.

210. Have you a town inspector here?—We have a town officer who acts in a double capacity.

211. Do these men act under his orders?—Yes. He sees them told off for duty every night, and he is supposed to keep his eye on them during the night.

212. I perceive that the cost of cleaning the streets only came to £37 10s. for the year?—Yes; there is a new arrangement for having the cleansing done at £70 a year. The cleansing was let by contract.

213. Who gets the manure?—The contractor gets the manure in addition. The former arrangement was £45 a year, and the new one is £70.

214. CHAIRMAN.—Now we come to the salaries. They amount to £307 4s. 11d. Can you give me the principal items?—The clerk's salary is £75 a year and £10 for receiving the rents.

215. Then that £10 was not included in the last charges?—It would seem not, but it may. He gets £40 a year for keeping the gas accounts and collecting the money due.

216. That brings his salary up to £125 in respect to his duties as clerk, receiver of rents, and gas superintendent?—Yes. Then he gets £15 a year more as executive sanitary officer, but out of that he pays his assistant.

217. Is there a town inspector?—Yes; he is nuisance inspector also, and has charge of the fire-brigade men.

218. What is his salary?—He has £40 a year from the town, and £5 as sanitary officer.

219. That would bring the salaries up to £165. Have you a consulting sanitary officer?—Yes.

220. What do you pay him?—£15 a year.

221. Have you a town surveyor?—We have no town surveyor, but I should state that I think it would be of very great advantage to the town if we had a

surveyor. We cannot carry out the provisions of the Town Improvement Act properly without a surveyor is added to the drainage, especially with regard to new houses. Many houses have been built in the town without proper sewerage or proper accommodation, simply because we had no engineer or surveyor to prevent it.

222. Has the appointment of a surveyor ever been mooted amongst the Commissioners?—It has been mooted but there is a feeling against the multiplication of officers. The town officer is the nuisance inspector.

223. That is the sub-surveyor officer?—His duty is to report to the Commissioners where he has been visiting.

224. Does he communicate with the dispensary doctor?—He does. He systematically visits the houses of the poor, and his duty is to report to the medical officer and the Commissioners.

225. He is what we call in England a nuisance inspector—you call him the sub-surveyor officer?—Yes.

226. I think you said he gets a separate salary in respect of that office?—He gets £40 a year as town officer, and £5 as sub-surveyor officer.

227. Is the rate collector paid a poundage?—No; he was paid a lump sum of £15. It was put up to tender.

228. Is that done every year?—Well, it was not put up for tender last year. It was thought the collector was not sufficiently paid and they increased the amount to £26.

229. I see the rate collector's fees are put down in the last audited accounts at £17 1s. 7d. Can you explain that?—There is an old custom of collecting weekly from the stalls and standings in the streets—stalls which are not in the market and there is a small charge on them for their use on market days.

230. And is that what brings up the amount to £17 1s. 7d.?—Yes, that is the entire cost.

231. When you say you put up the collection of rates to tender, do you see that the collector appointed gives security?—Yes; two solvent securities.

232. To what amount?—A sufficient amount, £360.

233. When you put the collection up to tender do you give it to the person who makes the lowest tender without being assisted as to his solvency?—We have to be satisfied as to that, and we are quite satisfied with the present security.

234. I see that you take credit for having paid £108 10s. 4d. for the water supply?—Yes; for the year.

235. How is that? Do you supply the town yourselves?—No; but we have our pipes all perfected and an engineer appointed.

236. Where are you to get your supply from?—About two miles and a half from the town.

237. Then this £108 10s. 4d. was not for water supplied to the town by the Commissioners?—No; that is expenditure on account of the projected water-works for the new supply to the town. There may have been included in that a few pounds for repairs to fountains.

238. In the meantime until you get the water-works in operation, how is the town supplied with water?—Very imperfectly from fountains around the town.

239. Are these fountains maintained by the Commissioners?—Several of them are.

240. How many are there?—I suppose there are four or five.

241. Has the water of these wells been analysed?—Yes.

242. By Dr. Cameron?—I think Dr. Hodge examined the principal supply, and that at that time he reported it free from impurities although we had doubts of it since on account of the additional buildings erected near it.

243. Is that all the source the inhabitants have for a supply of water for drinking purposes?—Yes; except those who have private wells in the neighbourhood.

244. From whence do you get the water for cleansing the streets?—We have no water for flushing the sewers.

245. Have you any carts for watering the town?—We have one, but not a very efficient one.

246. From where do you get the water for the cart?—From the River Bann.

247. I see the interest on mortgages amounted to £570 16s. 7d.?—That is more than one year's interest.

248. What does it represent?—The gasworks are charged with their own interest, and the River Bann is charged with its own interest—that is only on £15,000.

249. On £12,350 13s. 9d.?—Yes; that is on the borough fund. The gasworks is part of the borough property too, but as a matter of convenience the interest is charged separately.

250. The lighting of the public lamps came to £285. Is that at £2 10s. a lamp?—Yes.

251. The cemetery appears to have cost £101 8s. 6d. What were these expenses?—For plans and preparatory arrangements in getting the provisional order.

252. Mr. LAWRENCE.—Is it a public cemetery?—It is a public cemetery for the borough.

253. Is it to be divided according to religious denominations?—It has been already divided, although the plan has not been yet approved of by the Lord Lieutenant.

254. CHAIRMAN.—Has the Roman Catholic bishop made any objection?—We have not heard of any objection yet.

255. I see £107 5s. was the expenditure on street crossings and footpaths?—Yes.

256. Is that for work done by the Commissioners irrespective of what has been done by the Grand Jury?—That is nearly all for our portion of the luncheon footpath. The county paid its portion, and we paid our portion of it.

257. What is this small amount down for sewers—£19 4s. 4d.?—That was merely for the opening and closing of sewers.

258. And you paid £47 for sanitary work?—Yes.

259. Does that include the salaries of the sanitary officers?—Yes.

260. How many of these are there?—There is the executive sanitary officer £10; the consulting sanitary officer £15; and the sub-surveyor officer £5.

261. How much is the dispensary officer paid?—He is paid by the guardians. We imagined we had a right to supplement the sanitary officer's salary by one-third, and we did supplement it; but the Local Government Board intimated to us that we should not have done so.

262. But you don't contribute now?—It appears we are not allowed to do it now.

263. How are you off for sewers in the town—you don't appear to have expended any money in regard to sewerage, except for opening sewers?—I am afraid the sewers in many parts of the town are defective, but the leading sewers are tolerably good.

264. Are the sewers of old construction?—The leading sewers were made thirty or thirty-five years ago.

265. Are there main sewers through the principal streets?—Yes.

266. Mr. LAWRENCE.—Were they made by the Grand Jury?—Principally by the Grand Jury; but I think it is doubtful whether they were executed in the very best manner. I was told to-day by a person who saw them laid that they were not constructed in the very best manner; though certainly they have never choked, and have done their work pretty well.

267. CHAIRMAN.—Are they ever opened?—Frequently. The £19 4s. 4d. was expended in that manner. I don't think any portion of that was expended on the lower part of the town, but where the sewers are very imperfect in the back streets.

268. Have the Grand Jury expended anything in respect of sewers within the last few years?—Not since the Public Health Act passed. We asked them, but they refused.

COLLAPSE.
March 24, 1912.
Mr. Joseph
Gallwey.

CHIEF CLERK.
March 25, 1877.
Mr Joseph
Coffey.

360. Are you contemplating any loan from the Commissioners of Public Works for sewers?—Nothing at present. We think it better to get the water first.

370. But you have nothing of that nature in contemplation at present?—No.

371. Have the houses generally connecting drains with the sewers?—I think most of the leading streets have; but in the back streets I am sure they have not. In several streets there are no sewers.

372. Do the Grand Jury repair these back streets you speak of?—All the streets of the town.

373. Back lanes and all?—Yes.

374. Does your sewerage by contract pay as much attention to the back streets as to the others?—He ought to do so.

375. Is he required by his contract to do so?—He is required to keep all the town sewaged.

376. Is there any person to certify to the way he does his work before you pay him?—The town officer must every month give a certificate that the work has been properly done.

377. Do you yourself think the work has been done satisfactorily?—I think it has been fairly done for the last year. Of course we have had complaints.

378. Is the contract for three years?—No.

379. Is it only an annual contract?—That is all.

380. Has the sanitary work of the town been done to your satisfaction since the passing of the Public Health Act?—I don't see any improvement. Of course the passing of the Act empowered us to get water—or rather put ourselves in the position of getting water and a cemetery—but in the ordinary working of the town, I don't know that there is any great change.

381. How for instance are the houses in the back streets and back lanes off for privies and ashpits?—They are very badly off in that respect.

382. Have no steps been taken by the Town Commissioners in reference to the provisions of the Public Health Act?—In two or three cases there have been prosecutions to compel the erection of proper accommodation—but as a rule the poor people are very badly off in respect of accommodation.

383. Have you called on the parties generally to make accommodation?—We are under the impression we could hardly do that without having a surveyor to report officially to us.

384. But you get a report from the sanitary officer?—As a rule half of the houses of the labouring class have no privies or accommodation.

385. Can you state whether the body over whom you preside are desirous of carrying out the recommendations of the sanitary officer as far as they can?—I think they are; it is in the interest of everyone to do so.

Mr John
Robinson.

386. CHAIRMAN.—How many men are there in your employment at the gasworks?—Six in the winter time. In summer—sometimes four and sometimes two.

Mr Joseph
Coffey.

389. CHAIRMAN.—You paid £150 10s. interest on the gas debt?—Yes, that is on the £3,400.
390. At what rate of interest is that?—Four per cent, except one small mortgage of £700 which is at four and a half per cent. There is £22 5s. 4d. paid rent to the heirs of Lylo and to the Irish Society. Line cost £23 18s. 4d.

391. The county cost was £15 12s. 4d.?—Yes; that is about 2s. 6d. in the pound.

392. The poor rate and town rate were each £8 17s.?—Yes.

393. And the income-tax £4 3s. 4d.?—Yes.

394. Returns, freights, and other sundries come to £252 6s. 9d.?—Yes.

395. And amongst these sundries I see the clerk's salary?—Yes, that is £40.

396. That is not included in the wages?—No.

395. There is no obstruction offered by the Commissioners?—None at all.

397. Mr. LAWLESS.—Do the Commissioners keep any book showing what is done under the Sanitary Act?—There is a regular minute book for the proceedings of the Board, and the subcommittee officer has a minute book of his own, irrespective of his ordinary forms where he enters what he has done.

398. CHAIRMAN.—We will now go to the gas account, audited for the same period as the general account. I see you commenced with a balance in hand of £742 18s. 10d.?—Yes, we require to have a balance in hand to purchase our coals at one period of the year.

399. These gasworks have been in operation since 1844?—Yes.

400. Did you receive from the gas consumers in the town during the year, £1,845 6s. 10d.?—Yes.

401. And £21 7s. 6d. for lighting the town hall with gas?—That is for the new season. It is a public new season under the management of a committee who have to pay for the gas.

402. That charge is not included in the expenses of the town hall?—It is I think.

403. Is this new season belonging to the Commissioners?—Not at all. I think the arrangement is that the committee pay for the gas, coals, and use of the room.

404. By the sale of coke you realized a sum of £153 17s.?—Yes.

405. And from the sale of coal tar and sundries, did you receive £23 18s. 9d.?—Yes. There is also received from Messrs. Ritchie and Sons for coal tar, £5 8s. 8d.

406. Would that be the fair average of these sales?—It was very small during that year. We thought it would be more this year.

407. Then I see the sale of coal tar actually realized £43 5s. 9d.?—Yes; instead of £39 18s. 9d.

408. And that brings up your receipts during the year on the gas account to £5,091 15s. 7d.?—Yes.

409. The price you charged for gas was 5s. 10d. per thousand cubic feet?—Yes.

410. By the other side of the account I see you purchased coal during the year to the amount of £1,955 6s. 10d.?—Yes.

411. And you paid for repairs for work £125 5s. 11d.?—Yes.

412. The wages amounted to £380 17s. 8d.?—Yes.

413. What is your staff?—We have a manager and a number of men under him. I cannot exactly say the number.

414. Mr. LAWLESS.—How is the manager of the gasworks paid?—He is paid a salary of £160 a year.

415. Who collects the gasworks?—The town clerk.

Mr JOHN ROBINSON (manager of the gasworks) examined.

417. What is your salary?—£100 a year.

418. I see the wages come to nearly four times your salary?—There is heavy expenditure in the manufacture of gas.

Mr. O'NEILL'S examination resumed.

417. I see £153 11s. 10d. put down as "plant." Is that for depreciation?—No; that is for new plant.

418. I don't see anything put down here as depreciation?—It is in another account that the auditor takes no notice of. We just count the works as being worth five per cent. less. There is no cash transaction about it. It is understood that we value the property five per cent. less every year for depreciation.

419. It is not five per cent. set apart out of the profit?—No; it is only done in that way.

420. Well after all these items you have a balance of £252 6s. 9d.

421. Have you been working the gas on a profit since you became a Commissioner?—There have been on three occasions, I think, sums taken from the gas account and placed to the credit of other accounts, but

for the last three or four years at least there has been no money whatever taken from the gewerks account. There has been no profit, except the increase in the value of the works. All the money has been expended on the works.

322. What amount was taken from the gas account since 1844?—I think £1,300 have been taken from the gewerks and carried over to the general account since 1844.

323. All you can say is that your debt remains as it was £3,600, and you have credits for a balance of £332 3s. 3d. at the end of the account?—Yes, a working balance.

324. Your account No. 31s for the river Bann?—Yes.

325. Mr. LAWLESS.—Are there any quays here that require to be lighted?—No.

326. CHAIRMAN.—In the Bann account you started with a small balance against you and left off with a balance of £204 odd in your favour?—Yes.

327. The balance against the Commissioners on the 31st December, 1874, was £230 10s. 4d., and the balance in your favour at the end of December, 1875, £24 18s. 4d. 1s.—Yes; there is still a considerable sum of nearly one year's arrears.

328. I observe that this account is not for the same period as the other accounts. This is from the 1st January to the 31st December?—Yes; that is required by our Act. That is the last audited account.

329. You made a 6d. rate last year I see?—Yes.

330. And that produced according to this account £350?—It ought to be something more. It should be £35 or £30 more than that, but that will be set right next audit.

331. The amount of general assessments, £551 1s. for which you give credit in the general account is that in excess?—Yes.

332. £30 or thereabouts for which you ought to have got credit in the Bann account?—Between £30 and £40 perhaps.

333. For the purposes of the last audit the Bann account was only credited with £230?—Yes.

334. Of course it ought to have been only half of what the other was, being at 6d. in the pound?—Yes.

335. Then you received for balance of a cargo of coal sold at that £18. I suppose that was coal you did not require?

Acting Town Clerk.—It was not required for the steam tug on the river which was sold.

336. CHAIRMAN (to witness).—What is the principal source of revenue in this account?—Dues which for the year ending 31st December, 1875, amount to £244 7s.

337. Have the Commissioners got a good title to these dues?—They have a good prescriptive title.

338. Have you got a printed table or list of rates or dues to hand as in?—No, they are placarded on a board in the town hall. What we charge is much less than what we are entitled to charge by the Act.

339. Do not the Commissioners charge the amount they are entitled to charge?—No.

340. Mr. LAWLESS.—Do you charge on tonnage?—I think not, but I don't know.

341. CHAIRMAN.—The dues levied on ships I see amounted to £75 8s 1s.—Yes.

342. And on cargo to £145 7s. 2d. 1s.—Yes.

343. For tolls you got £111 7s. 6d., and for pilotage £5 14s. 4d., making up the total £244 7s.—Yes.

344. We want to know what do the dues consist of?—We will get you a copy of the schedule of rates as they are levied. I understand we charge 6d. a ton on the registered tonnage, and the charges in respect of other matters vary.

345. What about pilotage?—We have very little pilotage. We did not require a pilot when using the steam tug.

346. I understand you to say that you never levied the full rates you are entitled to charge under your Act, but that in fact the rates are rather lower?—In the great majority of cases the charges are much lower.

347. Your revenue account for the year was £512 7s. 1s.—Yes.

348. Now with regard to the expenditure, there was to start with a balance against you of £39 16s. 4d. Then I see you paid your harbour-master wages, and for buying the river, &c., £34 1s. 10d. 1s.—Yes.

349. What do you pay your harbour-master?—£1 a month.

350. But you appear to have paid him £3 a month?—Yes, but that was for buying the river.

351. Is not £12 a year his nominal salary?—Yes.

352. And is he paid extra for buying the river?—He is not paid it.

353. Is he paid through him?—It is not.

354. Then how do you come to put it under the head of harbour-master's wages?—Just for convenience. It is paid by a regular account presented to the Board of Commissioners.

355. That sum of £34 1s. 10d. then includes the expenses of buying the river besides the harbour-master's wages?—Yes, and some other sundries which we could hardly estimate in the account. [Commissioners' account book produced showing the sums].

356. You pay £87 18s. I see wages to a pilot?—That is not for wages, it is for towing. We pay the owner of the steam tug so much a year and that embraces pilotage. He was hired to supply the pilot.

357. Tell me, then, what is that £87 18s. for? You put down £87 18s. as having been paid for pilotage, and on the other side there appears to have been only £3 14s. 4d. received for pilotage?—That sum of £87 odd is for towing. The harbour-master has a book where all small items are entered. If we employed a pilot we would have to pay him 25s. a week, but we were relieved from paying that sum by entering into an arrangement with the owner of the tug boat—an arrangement which was much cheaper.

358. Did you pay your pilot 25s. a week before you made the arrangement with the owner of the steam-tug?—Yes.

359. I see it includes two payments to the Bank of Ireland for settling the accounts—eight guineas in May last, and again £3 12s. 4d. in October. Under the River Bann Act are they not audited by the public auditor?

Acting Town Clerk.—Yes; but the accounts did not close at the same time, and that is how the second charge is made.

360. CHAIRMAN.—Besides the Government auditor are the accounts audited by another?

Witness.—No; but the payments to the Local Government Board are made through the Bank of Ireland. The £12 6s. 4d. for the settling the accounts of the river Bann is included in the £87 18s. We thought the charge too much, and remonstrated with the Local Government Board.

361. Does that cover the settling of all the accounts?—That is only a portion of a much larger sum.

362. The interest paid on the mortgages is only £253 12s. 6d. How is that?—Yes, that is little more than a half-year's interest.

363. Is that at four per cent. 1s.—It is five.

364. Upon the Bann fund is the interest five per cent. 1s.—Yes.

365. Why don't you pay the whole year's interest within the year?—Understandably we are not able.

366. Your balance would not have enabled you to pay a whole year's interest?—No.

367. Is it an exceptional thing your not doing so, for if not your interest would be soon very much in arrears?—We are in about one year's arrears at present. Of course until these works are completed we can never find them productive.

368. Are you in arrears with your interest on any of the other mortgages?—None. Some of the others are well secured.

369. The 6d. Bann rate does not quite cover your expenses?—It does not.

370. That being the case, how is it you don't levy the full amount of dues you are entitled to under your Act?—Well, if we did it would prohibit vessels coming

CHIEF CLERK.
March 29, 1877.
Mr. Joseph
Cuthbert.

COMMISSIONERS.
 APRIL 25, 1877.
 Mr. Joseph
 Cutbush.

here altogether; the vessels would go to Portrush and discharge there.

371. In point of fact, the river Bann is not a profitable source of income at present?—Not at present, but we hope it may be.

372. When did you first begin to fall into arrears with your interest on the Bann mortgages?—For some time the dues were never equal to paying the interest.

373. But you could add a great deal more to your charges?—Last year we had a low rate, and the revenue was only £540, which was almost sufficient to pay one year's interest.

374. But last year what you did pay was little more than a half-year's interest?—Yes; but we extinguished the balance due to our treasurer, and we have a balance in our favour of £94.

375. There was about £385 applicable?—Yes; that is about three-quarters of a year's interest.

376. And being in debt to your treasurer, and wishing to have a balance in hand, you only paid half a year's interest?—Yes.

377. If you are not in future able to pay more than that you will soon be obliged to contract another loan, and you have power to do so?—Yes; but I am afraid so one will lend us money, our security is so bad.

378. Do you not hope by the aid of this £1,600 a year which the Irish Society has promised you for twenty-five years, for the purpose of making new works at the mouth of the Bann, to improve the navigation of the river, and thereby increase your income?—Yes, we expect that if we make the navigation works at the mouth of the river permanent, we will have a revenue of £3,000 or £5,000 a year. There is no doubt of it.

379. Mr. LAWLESS.—What will be the nature of the works?—The works that remain to be done are merely the erection of piers and quay accommodation. We have the plans and everything ready.

380. Have you made any application for another loan?—We have made application to the Treasury, and we expect to get it.

381. Your new Act will give you larger rating powers?—Yes, the inhabitants of the town proposed to the Government as a guarantee a rate of 2s. 6d. in the pound, the £1,000 a year, and the dues on goods and vessels. We have had a reply from the Treasury stating that the area for taxation was too limited, and the area suggested by them is much wider than the one we gave. We are giving 3½d. rate on the half-borough and liberties of Coleraine, and one shilling rating on the town. That would enable us to give the guarantee quite irrespective of any dues on the river—with the £1,600 a year from the Irish Society.

382. CHAIRMAN.—But the Treasury would then probably require you to pay off the loan within the twenty-five years?—The Chief Secretary proposed that we should have the loan, but maintained it should be in two divisions—one portion to be extinguished by the time the Irish Society grant ended, and the other in fifty years.

383. If you get a loan from the Commissioners of Public Works it will be on the terms that it will be extinguished by annual payments—so much principal and so much interest?—The Treasury proposed that the loan should be extinguished in thirty-five and a half years at three and a half per cent, but we hope to get the term extended to fifty years, and to have the area modified. We propose to get a smaller area, but still embracing a considerable portion of the county Antrim.

384. What is the valuation of the half-borough of Coleraine?—£30,000 a year.

385. Mr. TAYLOR, M.P. for the Borough.—It is called a half-borough, but it embraces a district of about eight or nine miles in a direct line all round this side of the water—and the town and liberties to the extent of three or four miles on the other side of the river.

386. Mr. CUTBUSH.—The valuation of the liberties is £20,000. We would have a 3½d. rate on the outside property valued at £70,000, and a shilling on the town rating. The Board of Works suggested our going to

the county Antrim, but we found that would complicate matters.

387. CHAIRMAN.—Mr. Cutbush, I think we have nearly finished with you, and we are much obliged for the information you have given us. I would first ask whether there are any gentlemen present who are desirous of making any objection to the accounts—to the way in which the accounts are kept by the Commissioners, or to any action on the part of the Commissioners either with respect to the lettings of their property, or the levying of rates or tolls—or any other matters within their jurisdiction; if so we shall be happy to hear them. We may, I suppose, assume it was justly well known we were coming here to-day to hold this inquiry.

388. The announcement was made in the local papers, and placarded.

389. Mr. John MAHER.—I wish to refer to one matter respecting the qualification of Commissioners, and to ask whether the expenditure of a sum of money in obtaining counsel's opinion as to the disqualification of two members of the Board was a proper application of portion of the borough funds.

390. CHAIRMAN.—We have heard that two of the Commissioners were disqualified for non-attendance.

391. MAHER.—They were disqualified for not making the necessary declaration in time. They did not attend the Board for some time after their election, and the matter was overlooked.

392. Mr. MAHER.—What I allude to is this, that the Board was not in a position to know whether the parties elected as Commissioners were properly qualified or not, and they took counsel's opinion on the subject. Is it the time considered it was not a proper expenditure of the rates of the town.

393. CHAIRMAN.—What is your objection?—My objection is this, that the penalty is £20 for any person who is not properly qualified to act as Commissioner, and who upon being elected so acts. Any person knowing that that penalty was hanging over him would be very slow in assuming the responsibility, and I consider the Commissioners were wrong in getting counsel's opinion at the expense of the rates. The Act says that every person who shall sit as a Commissioner, their acts shall be legal and binding. Therefore the acts of these Commissioners being legal there was no loss to the town, and the expenditure ought not have been incurred.

394. You think the Commissioners ought not have paid this sum of £21?—Yes. After the election there was some talk that these two Commissioners were not properly qualified, and there was a committee formed to inquire into their qualifications. If I remember rightly this committee could not agree, and it was then proposed that counsel's opinion should be taken. There was a difference of opinion about the matter in the town at the time, a good many people considering that it was an improper and unnecessary expenditure of the public money.

395. Mr. LAWLESS.—Did the Commissioners incur any great expense with regard to it?—I could not say.

396. What year was it in?—In 1875.

397. There were two Commissioners elected who did not make the necessary declaration as to qualification?—Yes; but if they were disqualified they could have been arraigned before the Court of Queen's Bench by any ratapayer who objected.

398. Did they postpone doing so for six months?—I could not say.

399. CHAIRMAN.—According to the statement how they acted for a year and did not make the statutory declaration within that time.

400. Mr. TAYLOR, M.P.—They did not attend the first meeting that was appointed, but they attended the second, and the clerk proceeded to put before them the declaration. When they discovered they were acting illegally they withdrew. But there were other questions raised afterwards as to their qualification, or rather the proper qualification for a Commissioner. Some of the Commissioners were in a rated capacity

of dwelling-houses, and others were in as lessors, and I think it was on this point the Commissioners felt it their duty to take counsel's opinion.

401. *Witness*.—I think counsel's opinion was taken as to whether an immediate lessee was qualified to act as Commissioner upon being elected.

402. *Chairman*.—Do you know the amount of the expenditure? I don't see any law costs in this balance sheet?

403. I think it has not been settled yet.

404. I understand Mr. Maine to object to counsel's opinion having been taken as unnecessary?—Yes.

405. Mr. *Lawless*.—I think they took the safer step about it, and if they took another course it would entail greater expense.

406. *Chairman*.—The opinion had no reference as to whether you were able to impose the penalty?

Mr. *Taylor*.—It is not the Commissioners, but any ratepayer, may sue for the recovery of the penalty.

Mr. JOHN HARVEY, Surveyor, examined.

411. *Witness*.—As to the cemetery, I wish to state that I am the engineer who surveyed the land.

412. *Chairman*.—Were you employed by the Commissioners to survey the land?—Yes; and by a minute of the 3rd December, 1875, they appointed me engineer. I never got any notification authoritatively made to cease to be their engineer.

413. Did they put another man over your head without notice?—No; but I never was paid yet.

414. Have you ever made any claim against them?—I asked for the money repeatedly, but I did not get it. They hadn't funds when I made the application.

415. At what rate did they employ you to survey the land?—There was no specified rate.

416. Mr. *Cuthbert*.—Mr. Harvey was employed by the Commissioners to, in the first instance, make a rough survey of the land intended to be taken by provisional order for the cemetery. To enforce that order the Act requires that an engineer should be nominally mentioned in the Act, so as to put the compulsory clauses into operation. Mr. Harvey was merely named as engineer, and he drew a map of the land. Mr. Carson was named as solicitor. We understood it was merely a nominal thing to appoint Mr. Harvey as engineer, as we were going to lay out the cemetery. We conceived it was not the work of an engineer at all, but the work of an architect, to decide on the position of the necessary chapel and lay out the walks, &c. We don't think his appointment referred to these matters at all. The work he was employed to do he did, and that portion he was allowed to finish. If he had furnished his account he would have been paid, but he never furnished the account. He sent in, in the first instance, a claim for £35, and we said, "Furnish us with your account and we will settle with you," and then he said he was entitled to 5 per cent. on the outlay. We repudiated such a claim.

417. Were there any terms entered into by the Commissioners with him at the time you employed him?—

Mr. *Cuthbert*.—No.

418. Mr. *Lawless*.—There is a minute of a meeting on the 3rd December, 1875, as follows:—

"The Board of Commissioners was summoned to meet this day at the hour of twelve o'clock, for the purpose of appointing Mr. John McElroy, surveyor to said Commissioners in their capacity of Rural Board for the borough of Coleraine, and Mr. John Harvey their engineer for the purpose of putting the 'Coleraine Rural Ground Order, 1875,' into operation; and also to authorize the said John McElroy and John Harvey, in like capacity—and Thomas G. Carson, their solicitor, to sign and put into the streets and alleys, and all public roads and documents that may be required for carrying out said Rural Ground Order, and the compulsory purchase of lands required."

419. *Witness*.—After these papers were signed, I

407. *Chairman*.—Have any steps been taken to enforce it?

Mr. *Taylor*.—Not by anyone.

408. *Witness*.—There is no doubt the two Commissioners were liable, but no steps were taken.

409. Mr. *Taylor*.—Every chairman of the Commissioners or some other person under this Act has to act as assessor when there is a contested election. He has to decide whether the persons nominated are qualified to be candidates. In that point of view it would seem only fair that he should have some popular construction of the Act to guide him, because he is the only party who can either strike off a candidate or retain one. I think that is a point which must be dealt with in any new Act, for it is at present in a very unsatisfactory way.

410. *Chairman*.—Well, Mr. *Maine*, if you consider it was an illegal payment, you can lay the matter before the Government and when the next comes here. Have you any other fault to find with the action of the Commissioners?

Mr. *Maine*.—No.

was employed by the Commissioners for three days taking levels to company with Mr. Coyle, on the 6th, 15th, and 20th December. All the papers were signed previous to that. I did that work last September, and they have never paid me anything for it.

420. *Chairman*.—I am afraid you entered into a blind bargain. Mr. *Cuthbert* says the Commissioners are willing to pay you if you render an account?—I thought I had honourable men to deal with. I did furnish the account.

421. Mr. *Cuthbert*.—You never furnished it. You said you should get five per cent. on the outlay.

422. *Witness*.—Now, with reference to the area of the municipal boundary.—Mr. *Cuthbert* stated it to be 205 acres. It is in the townlands of Coleraine proper, Waterside, and Churchlands. I would like to know how many acres are in each.

423. Mr. *Cuthbert*.—I could not state that. The area of the municipal boundary is taken from *Thorn's Almanac*.

424. *Chairman*.—Are you, Mr. Harvey, satisfied that you are liable for the borough rate?—I am, for I live in the centre of the town.

425. The Commissioners are at present applying for an extension of boundary, and I presume the Local Government Board have the documents before them showing the boundary as it is. You don't object to being rated?—Oh no; but as a matter of curiosity I would like to have the information.

426. Are the townlands marked on the map?—We don't recognise them. We see nothing to be gained by it.

427. Have you any other complaint?—I heard you ask whether the streets were kept clean within the borough boundary. Well, they are not.

428. Do you say they are not properly cleaned in the town?—Not to the full extent of the borough boundary.

429. What is the name of the contractor to whom the scavenging of the town is let?—Mr. McCandless.

430. Do you know him?—I do.

431. Do you say he never looks after certain parts of the town?—Never, nor his predecessor did not.

432. Are you aware the town officer is bound to certify that he does the work properly?—Yes. I think so far as he does his work he does it properly.

433. Mr. *Cuthbert*.—Is this a portion of the town not included in the contract for scavenging?—I think it is included in the contract.

434. *Chairman*.—If you think there is any part of the town not attended to, you have only to draw the attention of the town officer to the matter.

435. *Witness*.—The municipal boundary comes up past the courthouse—and yet a portion of the street

Coleraine.

March 24, 1877.

Mr. Cuthbert.

Mr. John Harvey.

CHAIRMAN
March 28, 1877
Mr. John
Barry.

outside there is left to be cleaned by the county surveyor.

436. Mr. Carbert.—The county surveyor men may come a little at some points into the borough and relieve the scavenger from a portion of his duties. But I think that is such a very small thing that it is hardly worthy of notice.

437. CHAIRMAN.—But what this gentleman complains of is part of the borough which your contractor undertakes to scavenge. Are there any houses at this point?—No.

438. Has this gentleman ever called the attention of your town officer to the fact that this place has not been looked after by the contractor?

Mr. Douglas (town officer).—Never.

439. Mr. Carbert.—Does McCandless scavenge up the Strand-road?—That is the rural part. During the time the present scavenger has the contract, he has attended to it very properly.

440. CHAIRMAN.—Do you, Mr. Douglas, see that that part of the town is cleaned as well as the others before you give a certificate?—Yes. I am going over the borough every day and any part that I consider is not clean I have it cleaned.

441. Is there any penalty if he does not properly perform his contract?

Mr. Carbert.—His pay is stopped.

442. How do you pay him?—Monthly.

443. Witness.—May I ask how far up does the municipal boundary cross the Strand-road?

Mr. Douglas.—I don't know.

DR. RICHARD LYTTON McINTYRE EXAMINED.

450. CHAIRMAN.—Are you the dispensary doctor?—Yes.

451. And are you the sanitary officer?—Yes.

452. Does the sub-sanitary officer work with you?—Yes.

453. Is he in constant communication with you as to the state of the town?—Very frequently.

454. Do you yourself visit and report upon the sanitary condition of the town?—When I get information from the sub-sanitary officer—very seldom in any other case.

455. As sanitary officer do you make written reports periodically to the Commissioners?—No, unless I get information from the sub-sanitary officer I never make an inspection, but when I get information from the sub-sanitary officer I make an inspection immediately and report.

456. Your visits are amongst the poor, principally as a doctor and medical officer?—Yes.

457. And have you an opportunity of seeing yourself where nuisances exist?—Yes.

458. Have you ever acted yourself where nuisances fall under your own eye?—I have in two or three instances where I have seen nuisances interfering with the health of patients.

459. Does the sub-sanitary officer report every day?—I have had 124 reports since October, 1874.

460. Have these reports all been acted upon after you visited the places yourself?—Yes.

461. And did you send in these reports to the executive sanitary officer—who was, I believe, Mr. McKillip?—Yes. That is the last I hear about them.

462. You don't go before the Commissioners yourself?—No.

463. Do you, as a matter of fact, see that the reports are acted upon?—I have no opportunity.

464. Don't you visit the places again?—I do not.

465. Do you not, in the course of your duties as medical officer, see whether they have been acted upon?—If I happen to be calling at a particular house I do.

466. Do you consider your duty, as a sanitary officer, at an end when you receive a report from the sub-sanitary officer and visit the place?—I pay a visit to the place and make a report upon it, and I hear no

Mr. Taylor.—I may mention with reference to the road on which I live, that one portion of it is outside the municipal boundary, and it is always swept by the contractors for the county till it comes up to the town, and they keep it thoroughly cleaned too. In the whole county where there are surface men they are bound to sweep the roads.

444. CHAIRMAN.—Although you have £1,400 annually levied for county cess, is not the amount expended within the borough only £106. You don't get the town swept by the county?

Mr. Taylor.—No, the county men don't sweep the roads sufficiently for town purposes, and the Commissioners do it.

445. CHAIRMAN.—There seems to be some little doubt as to where the municipal boundary extends at this point?

Witness.—In my mind I know where it crosses.

446. CHAIRMAN.—Do you say the town scavengers neglect their duty at that point?—They do.

447. And do the contractors under the Grand Jury keep this place swept?—They do according to the rest of the county-road.

448. Is the result that the place is kept properly swept?—Not altogether properly swept, for in the hollow ground there are two moles of mud.

449. Is the place kept as well as the rest of the streets in the town?—As well as some of the streets. Some of the roads in the back streets are as bad as they could be, but the best streets are well kept.

more of the matter unless I am summoned as a witness to give evidence about it at the petty sessions.

467. Mr. LAWLESS.—Have you ever had places which were reported to you once by the sub-sanitary officer, and relative to which you sent in a report to the Commissioners, reported to you over again, the same state of things being complained of by the sub-sanitary officer?—I have an instance of four times.

468. Doesn't it follow that the Commissioners have not acted on your report?—That is not the way I look at it.

469. CHAIRMAN.—Did you visit that place, so often reported, each time it was reported to you?—Each time I received a report I paid a visit. It was a yard common to four houses between Shuttlehill and Laurel-hill.

470. What was the nature of the nuisance?—The place was full of manure heaps and stagnant water.

471. Mr. LAWLESS.—When did you make the first report about Shuttlehill?—In 1874 or 1875.

472. CHAIRMAN.—And when did you make the last report?—About a year ago.

473. Do you keep a book of the blocks of your reports?—Yes; but it is not here.

474. Have you ever been to the place within the past twelve months to see what the state of the premises is at present?—Yes; I was there the week before last.

475. Was the place still in the same state?—Oh, it was greatly improved, but there was still a nuisance there. I got information again from the sub-sanitary officer, and I visited the place.

476. Was the nuisance which you then found existing the same nuisance which had been complained of before, or was it a nuisance of a different character?—It belonged to one house in particular, which was very filthy. There was a heap outside the door, and it was in respect of that heap I was called on to visit the place.

477. Was it an accumulation of manure?—Yes.

478. Was it from pigs?—I don't think there were any pigs. It was the general manure of the house.

479. Are there pigs in the houses generally?—In the yards of a great many of them.

480. Are there any cases in which the pigs are kept in the dwelling houses?—I see that now and again.

Dr. Richard
Lytton
McIntyre.

COMMISSIONERS
March 26, 1917.
Dr. Hicken
Lytton
McIntyre

481. Mr. LAWLESS.—Are these houses reported as nuisances?—I tell the people that the pigs must be removed, and they do remove them. I find the pigs have been removed when I go back to the place again.

482. Are there still any pigs kept in the dwelling-houses?—I don't think there are pigs kept in the dwelling-houses generally.

483. In reference to these houses complained of three or four times—Is there any privy attached to them?—Two parties have been erected for the four houses in the yard common to them all, but there was no privy or accommodation of any sort and the place was in the most filthy state possible.

484. Since then, you say, there have been two privies erected?—Yes, there was a good deal done.

485. CHAIRMAN.—Is that the case in which proceedings were taken for not doing the work?—Yes. Doyle was fined at petty sessions £5.

486. Do you know whether he was called on to remedy the nuisance after your first, second, or third report?—I don't know, I never inquired.

487. Haven't you got a book in which a copy of the report made by the sanitary officer is entered, together with the action taken by the sub-sanitary officer and the report made by the Commissioners?

Mr. Roberts.—I have.

488. CHAIRMAN.—Do you, Dr. McIntyre, know the consulting sanitary officer?—Yes.

489. Do you and he have any conversations about the state of the town?—I would consult with him once or twice, when I would be at a loss, or wanted information, but I don't think I have done so more than twice.

490. Have you no communication with the Commissioners?—No.

491. You receive nothing from the Commissioners?—I am the rural sanitary officer as well, and I am paid by the Board of Guardians as the sanitary authority £30 a year. The Local Government Board have arranged that the salary shall not exceed one-fourth of the dispensary salary. My dispensary salary is £130. The Board of Guardians give me £30, and to bring it up to the £32 10s. the Commissioners pay me £2 10s.

492. Mr. Outbott.—It was only the other day, when we were making a return of the salary, the Local Government Board objected to the payment by the Commissioners.

493. CHAIRMAN.—In a letter of the 23rd March, the Local Government Board say you are not to get the £2 10s. any more?—Well, I am sorry to hear that.

494. Do you not very much in the same way as sanitary officer for the Guardians, as you do for the Town Commissioners?—On the same principle.

495. You only report when the sub-sanitary officer brings a matter under your notice?—Yes, except in one or two cases, where I saw nuisances were affecting the health of the patients I was attending.

496. Which do you find most active in remedying nuisances—the Guardians or the Commissioners?—I could not say, I don't follow up the case after I make my report. I only know when I am summoned as a witness at petty sessions.

497. Were the dwelling-houses in which you saw the pigs in the town of Coleraine or in the country?—In both.

498. Were the pigs which were reported to you as being in houses in Coleraine brought under your notice by the sub-sanitary officer or was it by your own observation you saw them?—By my own observation. I think the sub-sanitary officer only reported where the piggeries were close to the town.

499. Were these the cases of keeping pigs in the dwelling-houses?—I did not report on them. I saw them, and I prevented the pigs being kept in the houses.

500. You did not report the matter to the Commissioners. You have only spoken to the individuals?—Yes.

501. Have you never made a report to the Commis-

sioners on the subject?—I don't think I have reported the cases to the Commissioners.

502. Mr. LAWLESS.—I infer from that you have never had a report from the sub-sanitary officer of pigs being kept in dwelling-houses?—I have not, but I have had a report of asses and goats being kept in houses.

503. Have these cases been reported to the Commissioners?—These have been reported.

504. And have the people ceased to keep them in the houses?—Yes. Whenever I paid a visit to the places afterwards the asses or goats were not there.

505. CHAIRMAN.—Have the asses or goats been kept there since?—I don't know. All I know is that I have never seen them.

506. Mr. John Kennedy.—I beg to say I don't believe there is any custom of keeping pigs in the houses all the year round. At times when the pigs have little ones they may bring them in for a time.

507. Mr. LAWLESS.—The little ones?—Yes, and the sow too.

508. CHAIRMAN.—Are you a Commissioner, sir?—I am.

509. Mr. LAWLESS (to Dr. McIntyre).—Have you any knowledge of the accommodation for privies and closets in the town?—Most of the houses to which I generally call as sanitary officer are without privies or any sanitary accommodation.

510. Are there a large number of houses in the town in that condition?—There are in the poorer parts of the town.

511. To your knowledge, since the Sanitary Act came into operation, has anything been done to improve that state of things?—No.

512. CHAIRMAN.—You told us just now of two instances—are there the only instances?—These are the only two instances.

513. Mr. LAWLESS.—Have no public urinals or privies been put up in the town?—No. There are a number of houses that have no back accommodation, and for a row of twenty houses there might be one privy put up.

514. Don't you think that is a state of things which requires to be remedied?—I do; I think it is a great drawback.

515. Mr. Kennedy.—The matter of urinals has been postponed until we get a supply of water into the town.

516. CHAIRMAN.—Have these places, Dr. McIntyre, which you describe as being so deficient with regard to privies, back yards of sufficient size to have privies erected in them?—A great many of them have not; they have only very small yards.

517. Is the town in a healthy state generally?—At present it is healthy enough. There is the ordinary illness for this season of the year.

518. Have there been epidemics or fever in the town?—Oh, yes.

519. Or of small-pox within the last half dozen years?—Within the twenty years I have been here there have been only four years really healthy. Every year there has been a more or less amount of epidemic disease—either fever, scarletina, or measles—and there has been one outbreak of small-pox.

520. Is the condition of the town such as to be favourable to the spread of diseases of that character rather than the reverse?—I would contrast the two together—filth and epidemic.

521. What is the accommodation provided by the Guardians or Commissioners for fever cases? Have the Commissioners any separate accommodation of their own?—No; there is only one fever hospital, and that is the one at the union.

522. Is that sufficient not only for the poorer patients but for the town population as well?—I believe so; but Dr. Carson will tell you about that.

523. Are you the medical dispensary officer?—Yes, I am the dispensary officer, but not medical officer of the workhouse.

524. With respect to the accommodation, do you

COLERAINE

March 26, 1871.

To Richard
Evans
M.D.

know whether it is generally filled, or whether there is a good deal of vacant accommodation?—There is generally plenty of accommodation.

525. For the town as well as for the rural district?—I believe so.

526. Have you a van or ambulance for conveying patients to the workhouse?—Yes.

527. Is it not kept by the Guardians?—Yes.

528. And not by the Commissioners?—No.

529. Have you any difficulty in getting this ambulance when you had patients to go to the hospital?—No; I apply to the relieving officer, and he immediately sends it.

530. Do you think there is any deficiency in that respect?—None.

Dr. James C.
L. Carson.

Dr. JAMES C. L. CARSON examined.

531. CHAIRMAN.—Are you the consulting medical officer?—I am.

532. And a medical practitioner in the town?—Yes.

533. Are you a Commissioner?—No.

534. What, in your opinion, is the general sanitary condition of the town of Coleraine?—I think it is very bad.

535. Have any steps been taken to remedy it since the passing of the Act of 1874?—Very few.

536. Have you tried to stir up the Commissioners?—I have; but the Commissioners seem to think that they ought to have another officer before they can have the power of closing up the houses which are defective in their accommodation.

537. Do you think that many houses are in such a state as that they ought to be closed up?—Well, I would say, either close them up or compel the parties to provide proper accommodation.

538. The last witness told us there were no means of providing accommodation?—I believe that is a fact; but these houses should be closed up.

539. Have you ever known of any instance in which the Commissioners went before the magistrates to apply for powers to close the houses on the certificate of their sanitary officer?—No; I have not. It has not occurred in my experience on the bench.

540. Has the want of an ample supply of water been much felt?—It is a very great drawback, and has been very much required. However, I think the steps are nearly completed for getting a capital supply of water.

541. What officers do the Commissioners think they ought to have before they take steps to have houses closed up on account of the want of accommodation?—A town surveyor.

542. CHAIRMAN.—I think the magistrates could act on the certificate of the medical officer, and that it is not necessary to have a surveyor for that purpose—the matter rests with the magistrates. It would be of course much better if the thing were remedied in the first instance, before the houses were built. If the houses are in such a state as to be unfit for human habitation, I think you have the power to close them up.

543. Mr. Colclough.—I don't think there are many houses in Coleraine we could close after all.

544. Dr. Carson.—I think there should be no houses inhabited without seeing that they had proper accommodation; and there should be public sewers in every street having communication with some sort of water-closet or urinal connected with each house, to carry away the filth. These sewers are very much wanted in every part of the town. The sewers of the town is in a very defective and bad condition, and sewerage is altogether wanted in some streets.

545. I suppose you make your statement as to the bad sanitary condition of the town from your experience as a medical man, and being the consulting sanitary officer?—I make my statement from the fact that a great many houses have no sewers at all, and have no means of carrying off the filth from their yards. Besides, a large number of houses have no privy accommodation whatever; and I make my statement from the fact also that there is a considerable amount of fever epidemics existent in the town for a considerable time.

546. Do you agree with Dr. McIntyre, that the accommodation at the workhouse for fever cases and

infectious cases generally, is sufficient for non-poor cases as well as for poorer cases?—Yes. I know the fact for this reason, that I am the medical officer of the workhouse and the fever hospital. There is no admirable fever hospital there. I would not ask any better, and there is ample accommodation.

547. What is the nature of the ambulances?—It is a covered spring van provided with two windows and two beds—one for fever and infectious diseases, and the other for ordinary infirmity patients. They are sent wherever they are required. The van is at the disposal of every person in the town.

548. Have you ever had occasion to advise the Commissioners to take steps to improve the sanitary condition of the town, and have you found them unwilling to act on your advice?—I cannot say they are unwilling to carry out my advice, but their dilatoriness is another matter. I think there would be more activity if there was a more limited responsibility.

549. Is it your duty to make reports, except when you are called on to do so?—No.

550. Have you, from taking an interest in the town, visited the Commissioners occasionally without being called on by them?—Yes; I drew the notice of the Board to a part of the town where fever was existing, and to the water of a well that had a privy almost immediately above it, so that the stuff must as a matter of necessity be exuding down into it. Dr. McIntyre and I reported that the well should be closed up, and another opened, but it has not been closed up yet.

551. Mr. Colclough.—We had it closed up, but the parties in the neighbourhood opened it again.

552. Witness.—It should be broken up—root and branch. It is in the hollow of a stream, and there is visibly the appearance of this stuff running down from the manure heap into it.

553. Then all the stuff exuding from the manure must run into the well?—As a matter of necessity when it comes on to rain.

554. And is that water used for drinking still?—It is constantly used. I have seen it with my own eyes.

555. I understand the Commissioners filed the well up?—Yes, it was filled up, but the people threw it open again.

556. Mr. Lawrence.—Has not a new well been opened there?—Yes, there was a new well opened a few paces directly above the other. The honest Dr. McIntyre and I reported about the other the Commissioners very properly opened the new one.

557. Do the parties in the neighbourhood use the new well?—Some of them use it, and others not, because the other is a few paces nearer to their houses.

558. What is the number of patients in the fever hospital at one time?—Ten or twelve from Killymore.

559. Is that the district where fever prevails?—Yes. It has been going on in a kind of creeping state for some months, and is still going on. I got two patients last week out of it.

560. CHAIRMAN.—I understood from Dr. McIntyre that there is no fever in the town now.

Dr. McIntyre.—I merely spoke as dispensary medical officer—and said that in that capacity I had not been called on.

561. Witness.—I don't think Killymore can be remedied until there is a proper water supply and proper sewerage. I don't blame the Commissioners for not remedying it, for nothing can be done till these matters are proceeded.

562. CHAIRMAN.—What is there to prevent the Commissioners providing proper sewerage—except want of funds. If they applied to the Local Government Board for a grant for drainage there would be no difficulty in getting it?

563. WITNESS.—I look upon the matter as being of the greatest importance, and it ought to be seen to.

564. Mr. Cusbert.—We would find a great difficulty in getting a loan for that purpose.

565. CHAIRMAN.—I think not, after such evidence as we have heard to-day.

566. Mr. Cusbert.—It is nearly seven months since we made an application for the waterworks loan, and we have had no reply yet.

567. CHAIRMAN.—Do you, Dr. Carson, think the scavenging of the town is done well?—I think it is very well done. It is better done now than I have found it to have been done within the last thirty-eight years.

568. Have you any fault to find with the present contractor?—I think he is doing his work remarkably well, and has been very attentive to his duties.

569. Are there any steps taken by the Commissioners here for the periodical removal of excessive quantities of manure from the backs of houses where there are no privies or ashpits?—I think at the last meeting of the Board I attended there was an order made that the sub-sanitary officer should see that the manure was removed from the back yards.

570. That was I suppose only to compel the parties to do it?—That is all.

571. But there is no periodical system of removal?—No other way.

572. Do you think the sub-sanitary officer efficiently discharges his duty? Dr. McIntyre told us he had had altogether only 124 reports, but during February last he appears to have sent in a good many reports so that he seems to have been stimulated recently?—During an outbreak of fever in a particular part of the town the consulting sanitary officer reported the matter to the Commissioners who then urged the sub-sanitary officer to greater diligence.

573. Within the last few months?—Yes.

574. Was it in consequence of the outbreak of fever in the town that that was found necessary?—I think so. He will explain to you that a great many more cases are noticed that don't come under the observation of the doctor. The sub-sanitary officer serves a notice to remove a nuisance—and then he goes back again to inspect the place. If he finds the notice has not been complied with he goes the sanitary officer to report.

575. Mr. Harvey.—I can now state the number of perches within the borough boundary which are not properly looked after by the scavenger. They make a total of 368 perches and are comprised as follows—Burnside-road, eighty-eight perches; Captain-street, eighty-eight perches; Dunleer-road, eighty-four

perches; Portrush-road, twenty perches; Bushmills-road, sixteen perches; Derrook-road, sixteen perches; Ballymaney-road, twenty-four perches; and Ballymoney Old-road, thirty-two perches. I have never seen anything done to these places by the scavenger for the borough.

576. CHAIRMAN.—Are there any houses at these places?—Yes, in some of these places there are rows of houses. All the main streets of the town are well looked after.

577. It is the outskirts of the town you say that are neglected?—Yes, up to the boundary.

578. Mr. LAWLESS.—Are you, Mr. Douglas, in the habit, when nuisances come under your observation, of serving notices of abatement yourself?—Mr. Douglas.—In some cases I do.

579. And if you find your notices are not attended to you report the matter to the officer?—Yes.

580. CHAIRMAN.—In many cases do you find that in the first instance after your notice, the nuisances are abated?—Oh yes, very many.

581. In the majority of instances are the nuisances abated in the first instance?—They are.

582. We heard in one case where there were no less than four complaints of one nuisance brought under the notice of Dr. McIntyre, and through him under the notice of the Commissioners. Did the Commissioners upon the receipt of the first of these reports, or the second of these reports, notice the parties to remove the nuisance, and did the parties neglect to do so, or did the Commissioners take no steps in the matter?—I don't know whether the executive sanitary officer brought it under their notice or not.

583. I presume that every case brought before the executive sanitary officer is laid before the Commissioners?—When it is, the Commissioners always direct notice to be served.

584. Whenever your complaint is brought by the sanitary officer before the Commissioners do they always give directions to have the nuisance abated?—Yes.

585. WITNESS.—I think I can tell you about that case referred to by Dr. McIntyre. The man against whom the complaint was made was by order of the Commissioners brought before the magistrates. On the hearing of the case the bench gave him a certain time to have proper accommodation provided, and if that accommodation were not provided within time he was to be fined so much per day while he neglected to do so. Dr. McIntyre visited the place again, and the subject was once more brought before the bench of magistrates, when the man was fined £4 or £5. He was brought up two or three times.

586. So the delay in the abatement of the nuisance was not the fault of the Commissioners?—Certainly not.

587. Mr. Cusbert.—The owner of the property lived in the county, and they could hardly find him out. The inquiry then terminated.

FETHARD.—APRIL 3, 1877.

(Before Mr. EYHAM, Q.C.)

Mr. MICHAEL MURPHY examined.

1. Are you the town clerk?—Yes.
2. Under what Act of Parliament are your municipal affairs managed?—The 9th Geo. IV., c. 82.
3. Was the Town Improvement Act ever in force here?—No.
4. How many Town Commissioners have you?—Thirteen.
5. Have you usually struck any and what rates?—We have not struck any rates.
6. What is your income derived from?—Rents from landed and house property; also the amount received from tolls and markets, fines for drunkenness, and the dog tax.
7. What is the value of the rateable property within the municipal limits?—£1,910.

8. What are the numbers of rated occupiers between £5 and £30, and above £30?—Forty-five above £30, and 135 between £5 and £30.

9. How much was your income last year from rents and tolls?—Our income if paid to the full would have been £157 3s. 3d. We received £150 15s. 8d., besides allowances for poor rates and income tax. That included a sum of £9 for the grazing of the green, and £26 for the tolls.

10. How much did you receive from fines and the dog tax during last year?—£9 5s. for fines, and £15 4s. 7d. for dog tax.

11. What officers have you, and at what salaries?—I get £12 a year. We have an agent at £12 a year; a town sergeant at £30 a year and clothes; and pay a

CHAIRMAN
March 25, 1877.
Dr. JAMES C.
L. CARSON.

FETHARD
April 3, 1877.

Mr. Michael
Murphy.

Forman.
April 2, 1877.
Mr. Richard
Napier.

woman £1 a year for washing the town hall, and £1 a year to the man who reads the town-green.

11. How is the town lighted?—We light it with oil lamps, by contract. It cost £24 10s. 11d. last year.

12. By whom is the scavenging of the town done?—By men employed by the Commissioners through their town sergeant, at a cost last year of £25 11s. 2d.

13. How much did you expend last year in repairing the courtyards and town hall?—£9 8s.

14. What did you pay the sum of £30 3s. charged in your last account for?—The rentcharge, county-rate, income tax, and poor rates.

15. You had, as appears by the last audited account for the year ending the 17th June, 1876, a balance of £10 10s. 1d. in your treasurer's hands?—Yes.

16. Who is the treasurer?—The Minister Bank.

17. Have you that balance still?—No. It has been gradually reduced by payments made since.

18. How many fairs are held here?—Ten on the 3rd Tuesday in each of ten months, one on the 20th April; and one on 21st November. Tolls are charged at the two last, being what we called the old fairs, but not at the others. The fairs are held over the town.

19. Is the town well supplied with water of a good quality?—There is ample water from the river and four pumps. The water has been declared good by Dr. Cameron, and no complaints have been made about it.

20. What is the sanitary condition of the town?—The sanitary arrangements are very badly carried out compared with those adopted by the Town Commissioners. The sub-sanitary officer lives five miles from town, and has charge of a large district including two towns, and he cannot properly attend to his duties. There is no thorough search made for the existence of nuisances, and even when reported, there is a great delay in having them abated. The Commissioners applied to the Local Government Board for a resident sanitary officer, but have not as yet got one. They also complained of the removal of stretch-traps from the sewers which were replaced by open gratings, in consequence of which the town is sometimes filled with stench.

21. Do the Grand Jury keep the roads in proper repair?—Yes.

22. What is the usual amount of the Grand Jury coat?—We have paid about £2 6s. a year for the last three years on the Commissioners' property.

23. What is the amount of the corporate property of this town? Have you the old Corporation rentals?—Yes. (Book produced.)

24. From this book I see that the entire Commons of Fethard now consist of 233a. 3a. 8s. statute measure; and of that there are 131a. 10s. 10s. statute measure let to Thomas Hackett. Is that so?—Yes.

25. In the old Corporation book, under the date 28th September, 1747, there is the following entry:—

"Thomas Hackett, esq., having bid 5s. an acre for the said Commons, and no other person having bid more for the same, he was thereupon declared the highest bidder. It is therefore ordered, that the present severings, John Cleary, esq., do execute to him a lease thereof for 999 years, to commence from the 28th day of September next."

"Signed, JOHN CLEARY, Sovereign."

Was any lease executed to carry out this resolution?—There is no record in the book of a lease having

been executed, and there is no trace of the lease-book amongst the Corporation papers; nor have any members of the present body of Town Commissioners ever been able to see the tenant's counterpart of the lease, if such was ever executed.

26. Do you know the value of land, and if so, what do you say it is fairly worth, supposing it was let so day for a day?—I should say it would be very cheap at 15s. per statute acre.

27. What Does Mr. Hackett get for 167a. 25s. and 50s. and 40s. for some of it; that is for the Irish acre?

28. What do you think the 233 acres are worth?—Some portions are worth more than others. I think the whole would now be worth £283 a year.

29. How much is Hackett's portion?—131 statute acres.

30. What rent does he pay?—£12 6s. 3d.

31. How much is Griffith's valuation of that portion?—£35 16s.

32. How is the remaining 102 acres let?—The oldest lease is that held by Edward Walsh, who was then a Commissioner.

33. Let all let by old leases?—I think so; nearly all of it. The 102a. 2s. 1s. is held by various parties on leases.

34. Give me the particulars of those leases?—Lease to Edward Walsh, dated 26th December, 1846, of 22a. 2s. 24r. (Irish), at the rent of £8 7s. 3d., gale days, May and November, valuation £14. The sanction of the Lords of the Treasury was obtained for the granting of this lease. The next is a lease of 31st July, 1848, to William Maher, of 17a. 6s. 9s. (Irish), at a rent of £9 11s. 11d.; valuation £12.

35. What is the next lease?—A lot of the Commons is said to be held under a lease purporting to bear date the 31st of July, 1846, from the then Town Commissioners to Robert Maher, who was a son of William Maher, then a Town Commissioner, of portion of the Commons, containing on the whole 8a. 2s. 10s. (Irish), for seventy-five years from the 1st of May, 1867, at the yearly rent of £3 8s. 2d., payable half yearly. What purports to be a copy of the lease is amongst the papers of the Commissioners and I produce it, which recites that the lease was made with the sanction of the Lords of the Treasury. It is, however, stated and believed by several persons some of whom are now present, that such consent was never given, and that no lease was in fact ever executed.

36. What is the next lease?—Lease to William Maher (the father of Robert Maher last mentioned), dated the 6th August, 1867, purporting to be made by the then Town Commissioners of Fethard to William Maher, of 8a. 2s. (Irish), of the same Commons for thirty-one years, from the 1st May, 1867, at the yearly rent of £3 3s. 6d.

37. Was William Maher a Town Commissioner at the time this lease was granted, and was it granted under any and what resolution?—Yes; and his brother, Robert Maher, was also then a Town Commissioner; and the lease was executed "in pursuance of a resolution passed at a special meeting of the Town Commissioners, on Monday, the 9th day of August, 1867, which was held for the purpose of considering the granting of a lease to William Maher."

Mr. FREDERICK SAYERS.

38. Are you a Town Commissioner?—Yes.

39. What is your profession?—I am an auctioneer and land valuer.

40. Can you tell me what is the letting value of the first eight acres let to Robert Maher?—I think that the value of the first eight acres (held by Robert Maher) is not so high as the other portion (that leased to his father). I should say the first lot would be worth £1 per acre, and the other portion £1 5s. per acre (I am speaking of Irish measurement). The land immediately adjoining is let at £2 5s. per Irish acre.

41. I find this resolution on the books of the Commissioners:—

"Proposed by Robert Maher, and seconded by John Maher—That a lease be granted to William Maher of part of the lands of Markfield, containing eight acres two roods, plantation measure, at the yearly rentable rent of 7s. 6d., to commence from the 1st of May, 1867, for thirty-one years, payable every 1st May and 1st November, the first payment to be made on the 1st May, 1867." Carried unanimously.

Did both the Messrs. Maher attend at that meeting?—Yes.

42. Town Clerk.—Griffith's valuation of these lots is £13 a year.

Mr. Frederick
Sayers.

MR. MICHAEL MURPHY.

Examination
April 3, 1872.
Mr. Michael
Murphy.

44. Mr. ENAM (to Town Clerk).—The next letting is to William Ryan. Was that by lease?—No; he is a tenant from year to year.

45. What does he hold?—Sa. 3a. 30r. Irish, at the yearly rent of £2 5s. 2d.; valuation, £1 18s.

46. What is the present value of that lot?—About £1 2s. per acre.

47. Are any of the rest of these lots held by Town Commissioners?—Mr. Laurence Ryan holds one small lot of one rood six perches, Irish, at 6s. 3d. a year; valuation, 3s.

48. The next on the rental is Michael Barrett, who holds one acre one rood, Irish, at the yearly rent of 13s. 5d. as tenant from year to year; the valuation is 10s.

49. The next is James Hyland, who holds three roods twenty perches, at the yearly rent of 10s.; and Griffith's valuation of it is £1. Is that lot worth more than 10s.?—It is considered to be worth about £1.

50. The next is Richard Delahanty, who has three roods three perches, Irish, at the yearly rent of 7s. Does he hold by lease?—A lease was made on the 2nd January, 1860, by the Town Commissioners of Fethard, to Richard Connell, of this lot, for thirty-one years, at the yearly rent of 7s. He left the country, and sold it to a person named Richard Delahanty.

51. Do you know how much he got for it?—I do not.

52. How much is Griffith's valuation?—£1 2s. Richard Delahanty is also a yearly tenant of two roods thirty-six perches, Irish, at a rent of 6s. 6d. Griffith's valuation is 9s.

53. Are these lands all worth about the same?—Yes, on an average about the same.

54. The next letting is to James Harvey, three roods twenty-six perches, Irish, at a rent of 12s.; Griffith's valuation, 15s. Then William Connell, two roods twenty-seven perches; rent, 7s.; Griffith's valuation, 10s. Did he purchase the interest of a woman named Kelly, and how much did he give for it?—He bought it, but I do not know how much he gave.

55. Are they yearly tenancies, and worth more?—Yes.

56. Michael Murphy has 2a. 36r. (Irish), at a rent of 5s., and Griffith's valuation is 8s. It is a yearly tenancy. Who is Michael Murphy?—That is mine. I got the holding from my father, who bought the interest of Michael Hogan.

57. James Tyrrell has a lease of 2a. 17r. (Irish), at 6s. a year, and the value is 18s. Where was that lease made?—The lease is dated 15th December, 1854, from the Town Commissioners of Fethard to James Tyrrell for thirty-one years. This man has also 10r. of ground in addition to that mentioned in his lease, which is stated to be a piece of ground which he took possession of, and held since without paying any rent for it. He has had it for the last ten or twelve years.

58. The next is a lease from the Commissioners to Michael Walsh, dated the 8th May, 1858, of 1a. 2a. 1r. (Irish), and also the old castle and yard at the water-gate of the town, at a rent of £3 2s. 6d. for thirty-one years, value £5.

MR. SAYERS RECALLED.

Mr. Frederick
Sayers.

59. Mr. ENAM.—Can you give me information about the fair?—I may tell you that we went to a good deal of trouble some time ago enclosing a fair-green.

60. Who owns the fair-green?—The Town Commissioners; it consists of about three acres.

61. Is that your own property?—Yes; we expended £75 in putting gates and walls around it, and it was used for several years, but about five years ago a resolution was passed by the Town Commissioners, and it was ordered to be closed up.

62. Was it in a suitable place, in your opinion?—Yes; it was in a most suitable place.

63. Are the fairs now held in the town?—Yes; on the streets in the town, and the farmers exclaim most indignantly about it. It was at the instance of the Town Commissioners that the green was shut up, and the fairs again held in the streets.

59. Was Edward Walsh a Town Commissioner then?—He was.

60. Was he a brother of this Michael Walsh?—Yes.

61. The next is Martin Brien who has 5a. 32r. (Irish), rent 10s., valuation £1, under a lease dated the 3rd September, 1860, from the Commissioners of Fethard to Anthony Brien. Owen Tuohil has 1a. 10r. (Irish), at a rent of 1s. 3d.; that is a bit of waste ground.

(This comprised all the corporate lands. It was stated that the sixty-two acres (Irish) which were mentioned in the report of the Municipal Inquiry Commissioners of 1855, page 594, were now included in, or comprised the fifty-three acres and twenty-nine perches which were in the Commons, exclusive of Hackett's holding of 86a. 1a. 12r. (Irish).)

62. In addition to these lands, have the Town Commissioners any other property?—Yes.

63. What does it consist of?—Town fields containing 9a. 1a. 13r. (Irish), which are let at rents amounting to £14 8s. 8d. a year.

64. Give me the particulars of the lettings of that land. The first is Knocknollin, in which there is let to Samuel H. Barton as a yearly tenant 1a. 0a. 10r. at a rent of £1 10s.; Griffith's valuation being £3. He should pay a great deal more for it; it is situated in the centre of his avenue. I should say it is worth about £3 10s. The next is Moneypark, held by the same tenant, 1a. 2a. 31r. (Irish), at £2 18s. 6d., a yearly tenancy, and it is valued at £3 15s., and is worth about £4 5s. The next is Spitalfields, let to the same tenant, containing 2a. (Irish), at £1 a year. It is held under a lease made on the 9th January, 1857, by the Town Commissioners, to Mr. Frederick Sayers, for thirty-one years, at the yearly rent of £1 30s. Sayers was then a Town Commissioner; he handed over his interest by assignment to Mr. Barton, who is now in possession of it and pays the rent.

65. How much is it worth?—About 50s. per Irish acre. It is worth about 5s. more than the rent now paid for it. The next is Gartagough, let to Thomas Cochran, containing 1a. 2a. 27r. (Irish), at the yearly rent of £2 10s., and the valuation is £3 10s. I think it is dear enough at its present rent. There is also let to the same tenant, 1a. 0a. 31r. (Irish) of Fethard, at a rent of £1, under a lease for thirty-one years from 1857. I cannot ascertain the valuation, but I think it is worth about £2 per acre.

66. What is the next?—Spitalfields let to Patrick Hinchelton, 1a. 2a. 30r. (Irish), at the rent of £3 5s.; he is paying the fair value for it, and he holds under a lease for thirty-one years, dating from 1855. The next is Patrick Doshin, who holds 1a. 0a. 21a. (Irish) at a rent of £1; the valuation is £1 10s., and it is a yearly tenancy, and is, I think, dear enough at the rent.

67. What is the next?—Margaret Hagan, a yearly tenant, holds 1a. 6r., at a rent of 15s.; it may be worth £1 a year. The next is James Heffernan, who holds 1a. 21a., at a rent of £3 10s., on a yearly tenancy, and that is a fair rent for it.

73. Do you know, of your own knowledge, that the farmers complain of it?—I do.

74. I wish to see the resolution of the Town Commissioners by which the fairs were held on the green, and that by which they were removed back again to the streets. According to your opinion and knowledge do the people living in the town approve of that change, or do they complain of it?—A number wish to have the fairs held on the streets, and the others do not.

75. This is the resolution you refer to:—

"2nd May, 1861. Proposed by Mr. Ryan, and seconded by Mr. Laurence Ryan. Resolved:—That the fairs be held in the town of Fethard, in the Green, in future."

That resolution was carried, only one (Patrick Stobbs) dissenting.

76. Are the tolls of the fairs let?—Yes; at a certain sum every year.

FERRARD.
April 3, 1877.
Mr. Frederick
Byrnes.

77. Are they put up to public competition?—Tenders are received for them, and they are let to the highest bidder.

78. What is the annual rent received for them?—The grazing green used to be let with them. We usually got £36 for the tolls, and £9 for the green.

79. Do the Town Commissioners claim to be free from all tolls?—Yes.

80. By what authority?—Because they are freemen.
81. But that liberty has been abolished?—They have a by-law here exempting them from the payment of tolls, and it has always been the custom here.

Mr. James
Tolan.

Mr. JAMES TOLAN examined.

84. Mr. EXHAM.—Are you agent of the Town Commissioners?—Yes.

85. Have the Commissioners any house property in the town?—Yes, small houses, with gardens behind.

86. Are they mostly held by leases?—Yes; they are principally under leases; they are very small tenements of little value. The rents are only about £9 8s. 10d., and that owing to the poverty of the people who inhabit the houses, is not regularly received.

87. Is there any other real property or houses belonging to the Commissioners?—Yes; there are five or six other houses.

88. How are they let?—They are let at their fair value.

89. Are they held under lease?—Some of them are.

90. Have any of those leases been lately executed?—No; not lately.

91. Are any of them let to Town Commissioners?—No.

Mr. H. R.
Byrnes.

Mr. H. R. BYRNES examined.

95. Mr. EXHAM.—Are you the chairman of the Town Commissioners?—Yes.

96. Are they now under the Town Improvement Act?—No; they are not.

97. Are they still under the 5th Geo. IV.?—Yes.

98. How many Town Commissioners are there?—Twelve, and the chairman.

99. Has that always been the number?—Yes.

100. Are they all duly qualified?—They are.

101. Has the town a good supply of water?—There is a very good supply from the river, and besides we have four pumps.

102. Are they all good?—Well yes; there is one of the pumps which is very good for general purposes, but not for drinking.

103. Are the others good?—There is not better water in Ireland.

104. Has the water been analysed by Dr. Cameron?—Yes; it has, and been found satisfactory.

105. Is the repairing of the streets of the town done in a satisfactory manner?—Yes.

106. Have the Town Commissioners any other property besides what has been already stated?—No; no other property that I have heard of except some property held by a man named Bacon, I think, which he had some way or other.

107. Was that leased property?—It was, and leased before I was a Commissioner.

108. How much land was it do you know?—I do not; we have no survey of it.

109. Is the town sufficiently lighted?—I think it is very fairly.

110. Do you ever strike a rate here?—No; never.

111. Can you say from your experience whether the rural sanitary authority attend properly to the sanitary arrangements in the town?—They do, but not in so satisfactory a manner as we did when we had the sanitary arrangements under our own control.

112. Are the houses here generally supplied with private accommodation?—The poorer places are not.

113. Is there any sewerage at all in the town?—There is.

82. Are the tolls fixed by the Town Commissioners?—Yes.

83. Do they see that the mules to whom the tolls are let charges no more than he ought to?—Yes, the Commissioners made a reduction in the scale of tolls about two years since. I may say with reference to the fairs that from the year 1841 till 1872 they were held in the green. On the 34th August, 1872, a proposal was made for bringing them back to the streets, and that proposition was carried by the casting vote of the chairman, there being seven Commissioners present.

92. What is the length of the leases?—The longest lease is thirty-one years.

93. How long ago is it since the last lease was made?—The last was made I think about 1854 or 1855.

94. What is the amount of rent received by you altogether for your last financial year?—By Mr. Pelly's abstract of accounts it stands thus:—

Arrears in March and May, 1875,	£ 4 4
One year's rent, March and May, 1875,	40 10 8
Total,	£ 44 14 8
Receipts for year,	£ 455 15 8
Four rate, £ 23 11 7	
Income tax, £ 11 5	
	4 10 10
	£ 459 6 8
Balance,	£ 459 6 8

114. In the better class of houses have the people made connecting drains with the sewers where such exist?—I might say they have.

115. Are the people allowed to keep animals in their houses?—Up to the present they were, but I heard that lately, from a month ago they were being fined very heavily for doing so.

116. Is there any hospital here?—No.

117. How far then have patients to be removed when they are sent to an hospital?—The nearest hospital is at Cashel.

118. How far is that from here?—It is about eight miles.

119. Have you had any contagious diseases here lately?—Last summer we had an epidemic of typhoid fever which was principally confined to children, but it raged to a fearful extent.

120. Did the sanitary authority do anything in that emergency?—No; I may say that it was as a measure of pure self-preservation we supplied the people with lime.

121. Did they take any steps for the removal of persons suffering from the disease?—They were sent to Cashel, and the houses in most cases, I believe, were disinfected.

122. By whom? Was it by the Town Commissioners?—No; by the rural sanitary authority. We were not able to take any measures as Commissioners to try and stamp out the fever.

123. Was that outbreak of fever attributed to the sanitary condition of the town?—I think it was owing to it. I have had a good many conversations with Dr. Burgess on the subject.

124. Are the people allowed to keep manure heaps in their yards?—Yes.

125. Are they not interfered with in doing that?—No.

126. What is your opinion about the fairs?—In the first place, I may inform you that our reason for removing the fairs from the green back again to the streets of the town, was because the cattle dealers were complaining that the fair-green was in a very bad state

and not fit to be used for the purpose of holding fairs. It has a subsoil of limestone, so that the ground becomes soft, and during a couple of fairs held sometime before it was closed, the people were up to their knees in mud, and were not able to move about and get their business done. The streets of the town, as you see, are wide and roomy, and afford ample accommodation for holding the fairs. I should also inform you that there are twelve fairs in the year, and that only the two half-yearly fairs were held on the green.

127. Who cleans the streets after the fairs?—The town sergeant employs a number of men to clean them. Mr. Rogers, who called your attention to the fairs is the road contractor, and as the roads are more or less injured by the fairs being held in the streets, of course he does not like it.

128. Are the cattle allowed to go on the footpaths?—No; we have employed men at different times to prevent the cattle from going on the footpaths.

129. Is the cost of that charged in the account?—There was nothing paid for that during last year. We discontinued the men.

130. Do you pay them out of your own pocket?—No; the town sergeant has taken charge of the streets on the fair days.

131. How long is the manure allowed to lie on the streets after the fairs are held?—They begin to clean them on the day after the fairs.

132. Who cleans the footpaths?—The town ser-

geant has them cleaned; he employs men for that purpose.

133. Have you ever heard any of the medical men complain of danger of the manure being allowed to lie on the streets for a couple of days?—I never heard it.

134. Would it not be possible to drain the fair-grounds, and bring it into a proper condition for holding the fairs on?—It is a sort of lake. I think it would be impossible to drain it. It is the worst fair-green I ever set my foot in. Both before the wall was erected and since it, I have never in my life seen anything to equal the filth and mud of that fair-green.

135. Did you ever hear any of the cattle buyers complain of the filth being removed from the fair-green?—I have heard one or two complain, but the majority are in favour of having them held on the streets.

136. Are there any slaughter-houses in the town?—There are.

137. Does anyone look after them?—No; they are never inspected by anyone.

138. Are the lodging-houses in the town ever inspected?—No.

139. Is the Act in force here?—No.

140. Are there any lodging-houses in the town?—There are some.

141. Are they inspected by the sanitary authority?—No. In fact I would not be surprised if some of them were overcrowded. A good many people have gone to live in them since the new railway began to be made.

Mr. JOHN SHERA examined.

Mr. John Sher.

142. Mr. ENHAM.—What business do you carry on?—I am a publican.

143. What is your opinion about the fairs? Would you rather they were held on the green?—It does not signify to me where they are held, but I have heard the buyers complain that the feet of the cattle were injured by standing on the streets during the fairs. I have seen the streets in a very dirty state for two or three days after the fairs.

144. Could not the condition of the fair-green be improved?—I say it is a very clean field. There is rock under it—there is not, I suppose, three inches deep of surface, and it could not be very soft or dirty.

145. Mr. ENHAM (to the Town Clerk).—Can you show me any resolution or entry on the books whereby the Commissioners resolve or say that as freemen they are to be free from payment of tolls on their produce?—Yes; I have it here. (Reads).—

* 5th November, 1875. Proposed by Mr. F. Rogers, and seconded by Mr. H. B. Rogers, that the tolls, customs, and grazing of the green be advertised on the first Monday in December for one year,

and that the Town Commissioners, being freemen, be toll free in every respect whatever, and that weighing on the machine be reduced to 2d. per bush. Carried unanimously.*

146. Does the collector give a bond?—Mr. Tolson.—I am the collector, I have been collector for the town of Bathurst for the past thirty years.

147. Do you give a bond?—No, I do not give a bond. I think they know me well enough. I do not require to give a bond.

148. (To the Town Clerk).—Does the house in which the post-office is here belong to the Commissioners?—Yes; it is alleged that a lease was granted some time since by the Commissioners of this house, at a rent of £5 a year, to James Smith. He is dead, and his daughter, Ellen Smith, now lives in the house, which is valued at £12 a year. There is no trace of this lease in the Commissioners' books, or amongst their papers. I applied to Ellen Smith to show me the lease, or to give me its date and terms, but she refused to show it or give me any information about it.

The inquiry then ended.

TUAM.—MAY 16, 1877.

(Before Mr. Commissioner ENHAM, &c.)

Mr. JOHN LITTLE examined.

TUAM.
May 16, 1877.
Mr. John
Little.

1. Mr. ENHAM.—Are you the Town Clerk of Tuam?—I am.

2. I believe your town is under the Town Improvement Act?—Yes; it was first under the Act of 6th George IV., c. 83.

3. When was it adopted?—In 1854.

4. For what purposes did you adopt the Act?—All except water.

5. What number of Commissioners have you?—We should have fifteen, but we have only eleven at present.

6. How is it you have only eleven? How long have you been without the full number?—The number was not filled up these good many years.

7. How long have you been Town Clerk?—Since July last.

8. You say there were fifteen members of the Board originally?—Yes.

9. Was there ever as far as you know any resolution passed to reduce the number to eleven?—No. Some died and some fell off, and the vacancies were never filled up.

10. How many had you last year?—There were thirteen or fourteen last year.

11. Can you say whether the eleven are all duly qualified?—They are.

12. Is your population under 5,000?—It is.

13. Can you give me the number of voters here?—There are thirty-three rated between £4 and £12, and sixty-five rated above £12.

14. What is the average within the municipal boundary?—£66s. 1s. 6d.

15. What is the rateable value of houses and lands within that boundary?—£3,918 2s.

16. When was the last election of Town Commissioners?—In October last.

TEAM.
May 15, 1917.
Mr. John
Lyons.

17. Do you know why the number was not made complete then up to the fifteen?—I could not say. One or two died, and two or three absented themselves from the meetings—they did not attend.

18. Have you not a record of the meetings of the new Board?—It is where they attend altogether, and no names are taken down except of those who do attend.

19. Your tolls last year I see were £760 1.—Yes.

20. How are your tolls let—by auction?—By tender each year.

21. Are they advertised publicly?—They are published in the newspapers, and placards are also issued.

22. At what time of the year do the lettings take place?—On the 20th September. They are let from September to September each year.

23. What have you let them this year for?—£635.

24. Do you know the reason why it is less this year than last by £135 1.—I think the previous year the reason so large a sum was given was because of the competition between two parties, and the party who got there offered more than they were worth, at least there is a rumour that they did not pay him.

25. Were all the tenders lower this year than last?—Yes, they were.

26. What were the tolls let for during the last five years?—In 1872, £120; in 1873, £600; in 1874, £650; in 1875, £760, and in 1876, £635.

27. I have seen by reports that the man who had the tolls last year for £760—Mr. Roche—is making a claim for compensation?—Yes.

28. Has compensation been given to him?—No.

29. Do the Grand Jury keep your roads in repair?—Yes.

30. How do you consider they keep them? Are they in a proper and efficient state at present?—They are.

31. Was there ever any action taken by the Town Commissioners to try and get the roads placed under their own control and management?—No.

32. What does your income arise from?—Tolls; moneys received for dog-tax, fines for drunkenness, and lettings of the town hall.

33. How is it your fines at petty sessions are so small? I see they were only £1 1s. 3d. for last year?—We only get our moiety of them.

34. What did you get for letting the town hall?—Only 7s. 6d.

35. Is it in the property of the Commissioners?—Yes.

36. What was your total income for last year to 20th September?—£1,162 18s. 3d., including a balance of £335 18s. 1d. in hands of the treasurer at beginning of year.

37. Building and repairing, £13 6s. 9d. On what was that expended?—Repairs to the town hall and the shade in connection with it, the property of the Town Commissioners.

38. Paving and flagging, £25 4s. 8d. ?—We spent that. We get a certain amount from the Grand Jury. Sometimes not.

39. Last year you got towards flagging, &c., from the Grand Jury £58, and you expended £23 4s. 8d. Have you the residue in hands to account for?—Yes.

40. By whom are the streets cleaned?—The Commissioners have it done by a contractor, under public tender every year.

41. What officers have the Commissioners and at what salaries?—I am town clerk at £45 a year, there is a constable at £36. The remaining items in the auditor's report are made up of small sums paid to the gate-keepers, pig inspector, bellman, &c., making altogether £107 15s. 6d.

42. Are the printing and advertising done by contract?—They were done by contract until this year. The £8 3s. in last account was a contract.

43. I see in the account rent and taxes £103 10s. 3d. What do they consist of?—The rent of the town hall, market place, and fair green, county cess, and poor rate.

44. What is the rent of the town hall?—£20 1s. a year for the town hall and market place.

45. Stationery, £3 18s. 6d. Is that for the town clerk's office?—Yes.

46. Weights and measures £2 15s. What is that paid for?—That is what the Commissioners paid for having the weights adjusted which are used in the public markets.

47. How is the town lighted?—By a private company.

48. Do you pay by meter or lamp?—We pay £3 a lamp and keep them in repair.

49. How many lamps have you got?—Twenty-five.

50. Whose property are the lamps?—The Town Commissioners.

51. How long are the lamps kept lighting each year?—From the 15th September to 15th April.

52. For how many hours?—They are lit at sunset each night, five are left lighting all night and the others are extinguished at eleven o'clock.

53. Is there any complaint as far as you know as the part of the inhabitants that the lighting is not sufficient?—I don't hear any complaints.

54. Have you considered whether it would not be cheaper to light by meter than by lamp?—No.

55. What is charged to private consumers per 1,000 cubic feet?—7s. 6d.

56. Is the £32 15s. 6d. charged in last account, about the average cost of repairing the lamps?—No. I think it is more than usual. We got new lamps.

It was more last year in consequence of the number of new lamps that had to be bought.

57. Was it in consequence of your increasing the number of lamps that you got the new ones?—No, the old ones got so bad that we had to renew them.

58. How is it that your item for fuel is so large?—27 Hrs. 3d. 1.—We keep fires in two rooms of the town hall.

59. How often do the Commissioners meet?—Once a month. There is a news-room and it is supplied with this fuel.

60. By whom is the news-room used?—It is used by the Town Commissioners and the townpeople.

61. Are the gas and fuel used in that room charged for?—The Gas Company supplies the light gas to the town hall for the accommodation of the people of the town.

62. Do the people pay any rent for the use of this room?—They do not.

63. Expenditure in connection with fairs, £22 1s. What is that expenditure?—The wages of the men employed at the fairs and getting up pens on the fair-green.

64. Are these for the monthly fairs?—For the October fair—the principal fair we have in the year—we haven't a monthly fair.

65. This mortgage you paid off. What was the amount of the mortgage originally?—I cannot say what the original amount was but the balance was £679 7s.

66. £647 was the principal due last year, and the difference between that and £679 was for interest I suppose?—Yes.

67. Is there no mortgage now on the property of the Town Commissioners?—No.

68. Can you tell me when that mortgage was originally contracted and what was the amount of the original mortgage?—It was contracted, I suppose, twelve or thirteen years ago.

69. What for?—The building of the town hall. It was the money due Mr. Egan for flagging the streets and building the town hall. He took a mortgage in the amount which was ultimately paid off.

70. Have you any debt now on the town?—No, there is no debt whatever.

71. What were the sundries £24 3s. 4d. 1.—All small items of expenditure on town hall, &c.

72. £3 3s. paid to Mr. Roche, the late town clerk, for attending at a contested election of Town Commissioners?—Yes; he was paid that sum.

73. Is there any other sum in connexion with election?—No.

74. That leaves a balance due by the treasurer of £1 12s. 6d.—Yes.

75. Who is your treasurer?—The National Bank.

76. How are the moneys for the tolls paid, monthly, quarterly, or in advance?—They are paid by bill. The toll farmer gives one bill first for £200, and the balance in five equal bills. He first gives a bill at a month for £200, and when that becomes due it is paid up.

77. Do the Commissioners discount the whole of the bills together, or are they discounted as they are wanted?—They are all passed into the bank and the Commissioners draw against them.

78. Do the Commissioners interfere in the markets at all?—No; the toll farmer has the entire control of them.

Mr. WILLIAM GARNON examined.

87. Mr. ENGLAM.—You are, I understand, chairman of the Town Commissioners?—I am. I was elected a Town Commissioner in 1843, and have been one ever since. I was, during that time, ten or twelve times elected chairman.

88. The town clerk has down £45 2s. 6d. for flagging which does not correspond with the auditor's last account, which gives it at £23 4s. 8d. after deducting cheque in favour of Mr. Egan, £22 18s. 1d. Do you happen to know anything of that cheque to Mr. Egan?—I remember some conversation about that. I think £45 was paid to Mr. Kenny, the other contractor. This cheque was drawn by Mr. Roche, the late town clerk. Mr. Shine was chairman that year. I cannot exactly explain how it occurred. I believe the flagging done by Egan was £22; the other end of the town was flagged by a man named Kenny for £23 odd. My memory is that Egan's flagging was in Bishop's-street, outside the palace wall, and that there was another piece of flagging done outside the railway station by Kenny. We got an allowance from the county upon each of these flaggings. £5 was stopped by the county surveyor in each case on account. Kenny was paid, but there is still a small balance due to Egan. Previous to our getting anything from the county we had paid the contractor. Kenny's contract was originally £80. We got £60 from the county at length.

89. How much did you expend in 1873?—£81 14s. 1d.

90. You expended £271 in flagging altogether, and you got back £251?—We seldom ask more than one-half from the county.

91. How many Town Commissioners are there now?—There ought to be fifteen, but Mr. Cloran's seat has not been filled.

92. Were there fifteen in November last?—No, there were not. There were fourteen in November. There was some seat not filled. The seat of Mr. E. B. Burke is still vacant. There were fourteen in November, but Mr. Shine, Mr. Michael Cloran, and Mr. Burke never attended. In point of fact there are only eleven now.

93. When was the town hall built?—I think it was in 1805. Mr. Egan, the contractor, built it. There was no regular form gone through, and the cost was paid to him by instalments.

94. Was the last instalment what was paid of last year?—No, that was a judgment. That debt was contracted when the town was under the 9th Geo. IV. for flagging. Mr. Egan got a bond for the amount and a mortgage upon the tolls and customs which the Lords of the Treasury approved of.

95. Can you tell me how much that was for?—£430 odd.

96. Do you recollect the date of that?—I think somewhere about the year 1850, and it was partly expended on the flagging of the town.

97. You were under the Act of 9th Geo. IV., cap. 82, until you adopted the Town Improvement Act?

79. Have the Commissioners anything to say to the bachelors' stalls?—They receive the rents.

80. Have you any receipts of any kind except these tolls?—Nothing except the tolls, fines, and dog-tax.

81. Are you an urban sanitary authority?—No.

82. Have you a sanitary officer at all—even an inspector of nuisances?—No.

83. Do the rural sanitary authority attend to the sanitary condition of the town?—Well they are doing something to it at present. They are cleaning up the sewers.

84. How is the town off for sewerage?—I think there are pretty good sewers in the town.

85. Have you got a fair-green here now?—We have.

86. Are the fairs of the town held on the fair-green?—They are. On the present fair-green the first fair was held last week. Previous to that the fairs were held on the old fair-green.

FRANK
May 14, 1877.
Mr. John
Lyon.

Mr. WILLIAM
GARNON.

—Yes. There was a short period between the dropping out of the Act of Geo. IV. and the adoption of the Town Improvement Act. The town dropped itself out of the Act. For about three months it was practically without any government at all.

98. Was that the only mortgage that was ever on the tolls?—Yes.

99. The tolls this year are considerably less than last year?—I thought the rate last year was a little in excess. I am never satisfied at getting less than £500, but £700 odd was a little more than I would expect for them.

100. I see the gentleman who had the tolls is claiming compensation for the loss he sustained on the letting of last year?—No; that is for the year before. His loss then was on account of the mail-post last May, two years.

101. In your opinion is the Sanitary Act carried out fully and efficiently in the town by the Guardians?—I don't think it is within the power of the Board of Guardians to carry it out satisfactorily, because of the knocking about the officers get. First and foremost the sub-sanitary officer will have his attention called to a nuisance, and he then reports to the sanitary officer, who again reports to the board—but all this time the nuisance is unaltered. From the time the complaint is made in the first instance until the report reaches the Board of Guardians and an order made upon it, fully a month intervenes; and during the entire of that time, what may be a dangerous nuisance is going on. That is the reason, I think, and a great many of the Commissioners agree with me, that the sanitary board should have a sort of magisterial authority to enable them to deal with those sanitary cases. Unless these nuisances are dealt with promptly they become a festering sore, and great injury is done before they are grappled with.

102. Are there many nuisances in the town which you think ought to be abated?—Well, no. There are some houses which have no water-closets, and there are some yards without drains connecting them with the main sewers.

103. Are you satisfied with the way in which the provisions of the Sanitary Act of 1874 have been carried out?—I think the Board of Guardians are doing as much as they can, but there are great difficulties in their way.

104. How is the town sewered?—Well, professional gentlemen might take exception to the way in which the sewers are made, but I think the sewerage is very fair. The sewers are run into the river below the place from which the inhabitants take water from the river.

105. Have the poorer classes any privies at all?—Well, they inhabit the rural parts of the town—they live principally in the outlying parts, and they have all small gardens and places of that kind.

106. Have the poorer classes any privies connected with their habitations?—In the middle of the town there are two or three houses which have not only no water-closets or privies, but no back-yards or back-

To-m.
May 16, 1867.
Mr. William
Graham

down, and the night-soil is emptied into the street sewer which creates a very great annoyance. This we find impossible to check.

107. Are there many houses, independently of these two or three, similarly circumstanced?—There is one in Vine-street and two in Shop-street, and three in High-street.

108. In the places where they have small yards have they also privies?—My impression is that they have not.

109. Do they throw their night-soil into the street?—No; they empty it into their own yards. The fact is, in Tuam we have a large supply of peat, and the peatmen empty their night-soil into the peat and cover it over with turf-mould which acts as a collective.

Mr. William
Finch
Henderson

MR. WILLIAM FINCH

111. Mr. ENHAM.—Do you live in the town?—Yes I am a solicitor living in the town, and was formerly a Town Commissioner.

112. Do you desire to give evidence upon any points touching the subject-matter of our inquiry?—All I have to give evidence about is with regard to the sewerage of the town, and its general management. I object strongly to the way in which the sanitary arrangements of the town are carried out, and I think there are many changes which are imperatively demanded. For instance, the small shopkeepers are allowed to keep manure in their yards all the year round, which they sell in the spring, or put out on small crops themselves when they can get manure.

113. Is that detrimental to the health of the entire community?—Yes, very much so; they collect the filth of their own houses in their yards, and keep it for several months to send it out as manure.

114. Are there many houses in that condition in Tuam?—A very large number not immediately within the heart of the town, but within the municipal area. I have no difficulty in saying there are over 200 houses in Tuam in that condition—in fact almost everybody does it, and I think I might double the number. Referring to what Mr. Graham has been speaking of, I may mention there are two houses next the town clock, and the night-soil from them is thrown into the guttings over the street sewer which is most disgusting. These two houses have neither privies nor yards, and they are in the most respectable part of the town.

115. Are there any other houses in the town in the same way?—I don't know of any others in the same condition; but there is a sewer in Bishop-street in a shocking condition, and I believe it is to be remedied. It is at Finer's-lane, going up to the cathedral, and the wonder is that the entire congregation have not got typhoid fever. There are no stomach-traps at all on it, and the spot you would avoid as a plague.

116. Are there many houses about it?—It is thronged with houses.

117. Is there any other matter to which you wish to call attention?—Yes. After the fairs the scavenging is not attended to with sufficient rapidity—they do not get sufficient assistance to clear away the manure of the fair. The man who has the scavenging contract gets the manure of the fairs, and he takes it off the streets in places near the fair ground, and leaves the other parts neglected.

118. Your ground of complaint is that it is not taken away quickly enough?—Yes. The only other matter which I have to mention is what is called here a "crane" of mine—that is the water supply.

119. How is the water supplied to the town?—The spring water is supplied by what are called the "Priest's Well" and the "Abbey Trinity Well." The Priest's Well is frequently dry in the summer, and causes almost a famine for spring water. Now the water for general purposes is supplied by the River Nanny that rises at the Carragh, about an English mile from Tuam. Until very recently at its head there was a privy from the factory—the Reid and Robbin Factory—which discharged into it. The river then runs down to what

The people use the turf-mould and mix it up with their manure, which acts, as I have said, as a corrective.

120. Do you think it would be advisable or beneficial to have the roads placed under your management and control instead of that of the Grand Jury?—I do not. I think it would create a necessity for additional expenditure. I do not find any fault with the way in which the roads are at present kept by the Grand Jury, but I think they might be made better. None of the roads are high enough in the middle to throw off the water. That subject was spoken of in conversation amongst the Commissioners, but no action was ever taken upon it. The streets here are very narrow, and the work on them is very great, so that the contractor must be continually at them.

HENDERSON extended.

is called the Big Bridge at Bishop-street. There is a sewer running through the eye of the bridge into the river there. On the other side of the bridge—the town clock-houses and cattle are washed there—in fact all the manure coming from that side of the country to the fairs are watered at that place.

121. Is that the end at which the river enters the town?—Yes. There is hardly any water taken by the general public at the up-side of the Big Bridge at Bishop-street. The river then flows through the demesne of the Protestant Bishop. Sheep are washed in his lordship's farm-yard, and not alone his own sheep but the sheep of the general public are allowed to be washed there. His lordship is a very courteous person. I am informed, and have no doubt of it, that the privy in his lordship's farm-yard is drained by this river, and the sewage of the Palace—a very large house—is brought into a cesspool quite close to the river. I have it from a gentleman of very great experience that it was nearly impossible to prevent the sewage matter coming from the cesspool into the river.

122. Is there an overflow from it?—I don't think there is. Then the river turns the Big Mill, and a great portion of the water supply of the town is got at the town side of the Big Mill, and before the river reaches the Big Bridge. Until recently cattle were washed there, but I believe that is stopped now. The sewage of the mill goes into the river, and there is a drain from the brewery of Mr. Charles Blake which discharges into the river at that very spot from which the water is principally taken. That is at the up-side of the bridge. It is not sewage that runs from Mr. Blake's brewery, but water after being used, which must, of course, pollute the river more or less. There is a good deal of water taken at the down side of the Little Mill by the general public—water of the same river. I myself constantly saw people taking it with cans and donkey carts and casks on them. During its course through the town it is used whenever the people can get at it.

123. With the exception of the two wells you have mentioned, are there any other public wells in the town?—There is only one other well that I know of for public purposes. There is one other very substantial objection that I have to the present water supply here. At the other side of Bishop-street-bridge, where the water widens and creates a sort of dam, I see women boiling their dirty clothes in the river. The same thing goes on between the Big Bridge at Shop-street and the Big Mill. I have seen it myself thousands of times.

124. Do they still wash clothes at the other side of Bishop-street-bridge before the water comes into the town at all?—I believe they are doing it there at the present moment. There is another very serious thing about the water supply. There is a little stream called the River Peck, which runs into the River Nanny at the town side of the Big Bridge at Bishop-street. Between the Big Bridge and the entrance to Bishop Bernard's demesne the Peck skirts nearly all the houses at the back of Bishop-street. There are all very small cabins. That stream is dry all the summer.

I believe there is not a privy in the whole of Bishop-street from the Big Bridge up. There is an arch close beside Bishop-street, just before the Punk joins the Nanny, and dead dogs and cats are pitched in there. I have never followed up the trunk of the river myself, but under the arch where the Punk comes into the Nanny I have seen the dead dogs and cats, and I have seen the river for some yards above the arch, and in the summer I think it is the filthiest place on the inhabitable earth. I have heard that it is a general privy for that part of the town, and then when there is a heavy fall of rain it is flushed, and all the filth is carried into the Nanny, and then goes on an artificial race and body to the water at the Big Bridge.

124. Has there been any suggestion made or any action taken by the Town Commissioners with regard to getting a proper supply for the town?—I was a Town Commissioner. I became a Commissioner some seven or eight years ago in order to try and get a water supply. They were all favourable to it. We found that the taction would run in this way—houses taking water would be charged 1s in the pound, and houses not taking the water 3d. That would enable us to get a good supply. My friend Mr. Gannon, a selector in the town, has a large property here—a good portion of which is urban property—and I understood that he would object to this, because these tenants of his would not be able to get in the water, and I freely acknowledge that he could hardly get the 3d. out of them; and he had such influence here that I knew it was quite impossible to carry out the scheme for getting the water supply. The question was removed in 1874, and now—

Caion and Townsend, of Galway, gave me an estimate of the cost, and it is quite possible we would have been able to get the water when this unfortunate question about the fair-green turned up; but now that it is settled we may look forward to getting a proper water supply.

125. Have you a good supply of water in the river?—Well, the river is very shallow here.

126. Are the Guardians doing anything at all to improve the sanitary state of the town?—I agree with Mr. Gannon that the Sanitary Act of 1874 is practically inoperative.

127. Have you anything to say as to the fighting of the town?—Nothing could be better than the fighting of the town; it is better than Dublin. There is just one other matter, and then I have done. The Guardians, as the sanitary authority, have recommended that there should be a new graveyard. The old graveyard is very much overcrowded, and sits in the centre of the town. It is several feet higher than the roads around it. It has been a graveyard for centuries. The medical officer of the union, Dr. Thomas Baker-Turner, recommended that it should be closed, but no action has been taken upon it for the last two years, and to the satisfaction of everyone nothing has been done.

128. Is the present condition of the graveyard dangerous to the health of the people?—I believe it is, although I have heard Mr. Gannon say there are no healthier people than those who live about it.

129. Were the waters of those two wells analysed?—I don't think they have been. There might be the chance of pollution at the Abbey Well, but there could be no pollution at the Priory's Well.

MR. MICHAEL FAYE EXAMINED.

Mr. Michael Faye.

130. Mr. EXAM.—Are you a shopkeeper here?—I am.

131. I understand you wish to give evidence with regard to some complaint you have to make?—Yes. What I have to complain of is that "standings" are allowed to be placed opposite my door and that I am not at liberty from the Town Commissioners.

132. What "standings" do they allow to remain on the public streets?—Vendors—applewomen, women selling confectionery; and if I threaten to remove them I am abused. The police will do nothing for me nor the Town Commissioners. This thing occurs twice a week, but principally on Saturdays.

133. Do these people claim the right to keep "standings" there?—I don't see how they can claim the right to close up my door and stop my business. My business has suffered greatly by it, a carriage or car could not come up to my door on these days.

134. Did you apply to the police?—The police say the Town Commissioners are the persons to prosecute.

On the opposite side of the street is the town hall, and it is a thoroughfare to the new fair-green and Under Bank. All I require is that if a carriage or car comes up to my door I should have room for it. I made repeated attempts to get this nuisance removed. Mr. Gannon and Mr. Henderson said it was impossible to do so unless they had by-laws. An attempt was made to get by-laws and that was frustrated. I don't know what became of the movement. I have also to complain of the imperfect system they have of weighing in their markets. I have frequently found mistakes. Notes are issued at the weighing machine and what would be returned as sixteen stones in the morning would be given in the evening as twenty-two stones. If I go into the market and buy something by and by a fellow will come with a number of chalk marks on his hat and point to one of them and say "that is yours" and upon that I must pay him whether rightly or wrongly. I think it is a most abominable system.

MR. GANNON RE-EXAMINED.

Mr. Gannon.

135. Mr. EXAM.—What have you to say in reply to those statements?—I have to say in the first place as regards the markets Mr. Faye is connecting an old habit with the present system. It is not at all new, that thing of chalking marks on the hat.

136. Have you a weighmaster?—We have one.

137. I know by the report of the Commissioners of 1835, that there was a weighmaster under the statute of Anne, and that there was a weighmaster which the Commissioners of 1835 condemned. Have you only one weighmaster now?—Yes.

138. Does he weigh everything that is brought into the market?—He does.

139. Is the man who has the tolls of the markets the weighmaster?—No. In the old Corporation times the toll farmer had the management of all the weighing and everything of the kind and he appointed people for weighing. The Commissioners under the 5th Geo. IV. appointed what you call a "crazer." Previous to that the Commissioners had a supervisor over all the weights of the town, but now the weights are adjusted by the police.

140. Assuming the weights to be correct, is it not your own weight?—Yes.

141. Upon his weighing does the toll farmer get his toll?—Yes.

142. What check is there at all on the part of the public as regards the weighmaster?—I don't know except that they can see their goods weighed.

143. Does he give a private docket of what he weighs?—He does of potatoes. There is nothing to prevent the owner of the things from seeing what is done. The man who sells or buys can see what is done at the crane and at the scales.

144. Is it the same man who weighs the things in the open market who also weighs inside at the machine?—It is. On market days he gets assistance but it is he that ought to give out all the dockets.

145. Did you hear what Mr. Faye said about the man going about with the weight chalked upon his hat?—That has been done away with for years.

146. Is there a book kept—the counterpart of the dockets?—There is a book kept at the weighing machine, but in the other cases there is merely a docket issued

TOAM,
May 18, 1877.
—
MR. GERRON.

and no blacks are kept for them. The printed docket is given for other things weighed—not at the machine, and the weighmaster is responsible for them to the buyer and seller—either of whom can make his complaint if he have cause to do so. I have had over and over again complaints made to me, and as chairman I have had to go and see them connected. Some of the complaints were well founded and some of them not.

147. Are these complaints numerous?—I would not say they are numerous—they are more numerous than I would wish them to be, but they are not very general. When you take into account the number of packages weighed there, and that you sometimes have complaints only once a week or once a month, I think no one can fairly complain.

148. As far as you can say have the causes of these complaints been the result of the hurry of business, and fairly attributable to that?—I don't think I would charge exceptions, although I have often threatened the men with dismissal if they were not more particular.

149. Would you say it was merely the result of carelessness?—It is often, and if it is a cold or wet day the man takes a little drop to drink, which is often the cause of the mistakes.

150. Is it done in the interest or favour of the toll farmer?—It would not affect the toll farmer. It is only by the article he is paid.

151. Is there a schedule of tolls prescribed by the Commissioners for each article, and is the toll farmer not allowed to charge more than that?—Yes, the schedule is printed and posted up. The Commissioners reduced the tolls eighteen years ago. They reduced the toll on small parcels, and left it as it was on large ones.

152. Since you reduced the tariff of tolls in the markets have the amounts increased?—They have. I would not say the tolls of the fairs are set at a larger rate. The old Corporation used to act then on the 25th September, that was the day on which the sovereign was elected, and we continued that day. We set them by tender, and invariably give them to the highest tender. There is a lease made for the year, and bills are taken for payment of the instalments. The first bill is paid on the 25th October. The toll farmer gets as much by the fairs that day as pays the bill.

153. Don't you give any security?—Yes, two sureties. The amount is divided into bills, and the joint and several notes of the toll farmer and two sureties taken. They are all indorsed by the Chairman and put into the bank, and the Commissioners can draw upon them as they want the money.

154. Did you ever want accommodation from the bank?—Not for the last few years, but previously we did. About 1845 we had not a penny at all for two or three years.

155. What do you say about this complaint of Mr. Fyfe's in reference to the standings?—There is a difficulty in dealing with those people. From time immemorial they have had apple "standings," and there is upon the schedule a certain sum that they must pay for the privilege.

156. Do you mean to say that on the schedule board a right is set forth for these people to have "standings" on the public streets?—They have. All the fairs and markets were held in the streets until the Commissioners got up the potato-market, &c.

157. How did the Commissioners persuade the people to remove the fairs to the fair-green?—They got them to do so by mutual consent. The old Corporation had tried it and failed. The Commissioners got the old fair-green and the people of the town consented (some of them wanted to have the fair on the streets), and we got the farmers to consent, and the archbishop gave us a field, but no tents were to be put up, and it was on that condition the townspeople consented to the fair being removed.

158. What is your opinion as to having the "standings" of those apple women on the public streets?—It is a great nuisance.

159. Would it not be most desirable to get rid of it?—Yes. Very many of the people who have got the right are most disagreeable, but we cannot do anything with them, and the police won't and do not think they can interfere.

160. However, it is your opinion that it is most desirable if it can be done that it should be put a stop to?—It is. Mr. Henderson wanted at one time to have by-laws, and was going to take the matter up, but I thought that should be done by our own authority.

Mr. Henderson.—I did not know before why my action in the matter was stopped.

Witness.—I was very anxious to get rid of these standings, but our patent contains all these things. Chief Justice Monahan and Master Phibbs gave it as their opinion that we had our markets by prescription right, and that we could not enforce by-laws against these people. We could not get a market-place for corn, which is still sold in the streets, and we had great difficulty in getting a fish market.

161. What do you say about the water supply?—The water supply of Tuam would be as good as could be if it was not impregnated with impurities in its progress through the town. In Bishop-street there is a place where houses are taken in to water occasionally, and the place that Mr. Henderson speaks of is a washing-place, but it is outside the town. The bridge is within the town, and the river runs through the palace grounds. Now I don't think the Peck river is at all as bad as it is described. I don't think it is a receptacle for manure, or for dead cats and dogs, as Mr. Henderson says. It is walled in by a wall three or four feet high. There is a gap in it near the Carraghans, but there is a parapet wall three feet high, and it is about seven feet on the road side. Dogs were thrown into the river many a number of years ago, but my attention was called to it and I put a stop to it.

162. Mr. BARNUM.—Does Mr. Henderson say that this water is used for drinking purposes?

Mr. Henderson.—Anyone who can afford to send to the spring wells does not drink it. You must pay for the water being carried to your house, but the poor people take and drink the water from the river.

Witness.—There is a continuous flow of water to the Naany, and these matters are all carried away. Except in this place that Mr. Henderson speaks of, at Bishop-street, there are no impregnations at all, save and except at the upper bridge. All that adds properly that he speaks of as having their sewage matter flowing into the river, that is all carried away when there is a flash of water. With regard to the pollution at the river's source by the Robbin factory, that was stopped a couple of years ago; the factory adopted a plan to get rid of their sewage without running it into the river.

163. Did you ever get the water of the wells analysed?—I don't recollect that it was, but while the Town Commissioners had the management of them we got all of them cleaned out. Now that is all done by the Board of Guardians. There is the mill-dam at the big bridge, at Sheepstreet, which gets covered with weeds, and that we had cleaned every year. The place where the people used to wash was removed a few years ago much lower on the river, and the regular place for watering cattle was also removed. The rule is, that everything should be washed at the lower end of the town, where the water goes off into the country. The Bishop-street people wash there still; the clothiers are not washed, but merely rinsed; the soap is cleaned out of them.

164. Are the Board of Guardians taking any steps to get a good water supply?—Although a gardien myself, I cannot say; but I don't think they are.

165. Don't you think it would be desirable to have a supply of good water?—I am very much in favour of having a water supply, but I have been always

regions to get a company to take the matter up, and also part of the capital, in order to guard against jobbing by influential parties. I object to the Town Commissioners having the exclusive control of it. If a company raised one-half of the capital, and the Commissioners provided the other half, you would have a guarantee against any trickery or scheming; but if the Commissioners have the entire control, you could not guard against trickery and scheming.

146. At present you levy no rates?—No. We had a very hard battle to fight against the old Town Commissioners, and we never would have been able to carry the day only we gave the people a pledge that we would never levy a rate; therefore, I never could be for levying a rate.

147. You should tell the people that the Commissioners are subject to the law, and that it is for the benefit of the people to have a good water supply, and probably they would then consent to a water rate?—Some of the Commissioners thought it would be a good thing to clear off the mortgage, and afterwards to raise a sum of money to establish waterworks. We had not sufficient to pay off the mortgage, but the bank honoured our cheque for the amount, leaving us at the wrong side for £300 or £350. On the 1st November, 1875, we had no money to our credit in the bank, but they told us they would honour our cheque to pay off the mortgage, and they never changed us one shilling into cash. When we are out of debt we will have money then to go on with the waterworks.

148. What do you say with regard to this graveyard?—I was always an advocate for getting a new graveyard; not for closing the present one, as I should preserve the rights of those who have burial-grounds, such as the present one, but I am entirely in favour of getting a new graveyard for the town. There are a great many of the inhabitants of the new town who have no rights of burial in the present graveyard. I did say, when they were all making a mountain out of a molehill, that I knew people living in the neighbourhood of the graveyard who were ninety years of age, and that, therefore, it could not be as pernicious to health as was described. But I have always been anxious to get a new graveyard. The Commissioners, twenty-five years ago, tried to get a graveyard; they almost went on their knees to Bishop Plunket to get one, but could not succeed. The Guardians have not the power of levying a rate inside the municipality for a graveyard, and the Commissioners could not levy it outside the town; and I am opposed to have the town saddled with the whole cost of a graveyard.

149. Do you consider the graveyard in its present condition overcrowded, and injurious to health?—I think it is overcrowded, but I won't say injurious to health. Five years ago I had, unfortunately, to open a grave, and I found the bottom of it as sound as could be.

150. What is the condition of the graveyard on the whole?—Some gentlemen breeding there are some graves with barely four inches of earth over the coffin. I believe there are parts of the graveyard where graves could not be made with more than a foot of covering over the coffin; some places with about two and a half, and some with not more than half a foot. A couple of years ago there were some men employed on the Galway side of the graveyard, at the wall, and they complained that they could hardly work from the offensive smell there was there, and that it sickened them.

151. The old fair-green fell out of lease, and you got a new fair-green?—There never was a lease of the old fair-green, for we were only tenants to the archbishop and college authorities from year to year. We could not get a place for a fair-green on this side of the town.

152. Have you anything to say with regard to the municipal boundaries?—Our boundaries are most absurd. They do not take in the workhouse, and the boundary runs through a field at Parkmore House, in fact you would say the line of the boundary was struck without regard to any fixed principle. It was in con-

sequence of the boundary being so limited in this direction that we could not go out far enough on this side for a fair-green.

153. How long has the present boundary been in existence?—Since 1836. I struck out myself a boundary for the Town Commissioners, which was not fully a statute mile from the centre of the town to any given place, and it could be narrowed to one-half of that.

154. Did you say it was impossible to get a suitable green at this end of the town?—Oh, it was.

155. Was there not some litigation about getting a fair-green?—There was.

156. Have you got one now?—We have. There was a good deal of trouble before a site could be fixed upon. One party said it would take away their business from one side of the town to the other, and another party was opposed to having the cattle driven through the town so much. It was found very hard to get a place to please everybody.

157. Are you satisfied with the way in which the town is lighted?—Yes.

158. Do you agree with Mr. Henderson as to the condition of the sewers?—He mentioned one particularly at a house near the cathedral?—Doctor Turner and I visited that place. There was no stench-trap there. We got stench-traps, but they are almost useless unless you have water in them. Every year the Commissioners cleanse the sewers.

159. Who looks after the lanesway?—The Grand Jury give 6d. a perch for the lease to the contractor, and the Commissioners supplement that by some small sum. We have a scavenger who sweeps the streets and cleanses the lanes besides, and he gets £40 a year.

160. Does he do that to your satisfaction?—Well, I have had to complain of him. The streets on Sundays are dirty, but that is in consequence of the Saturday markets, which are not over until very late in the evening, and there is not time for the contractor to clean them. After nine o'clock on Sunday morning the police won't allow the contractor's men to cleanse the streets; they will summon them for breach of the Sabbath law, and the cart is, therefore, allowed to remain on the streets all day on Sunday. In the summer time the streets are not so bad as in winter. The markets are always held on Saturdays.

161. Then in that respect the lanes are better off than the principal streets?—Well, they ought to be, but I don't think there is very much difference between them. The lanes leading up to the church, and the street leading up to the cathedral are better looked after than perhaps other parts of the town.

162. Do you agree with Mr. Henderson that there are a couple of hundred houses within the municipal area where they have yards, and in which the stuff is collected from one period of the year to the other, when it is either utilized by being used as manure on cereals or sold?—I go farther than Mr. Henderson, and say it is the practice all over the town.

163. Have the Guardians ever done anything about that?—I don't think they have.

164. Surely everyone must know that this stuff is being collected in the yards, and that it is festering in the summer?—I don't think there is much of it in the summer—it is carried away before that.

165. In these houses, I suppose, there would be seven or eight people, and their filth alone every day would soon accumulate and make a large quantity?—As I said before, it is greatly corrected by being mixed with this turf-mould when emptying it into their ashpits.

166. You have heard several gentlemen speaking of the state of the yards to those houses?—Those same gentlemen don't clean their own yards.

Mr. Henderson.—I know I do.

167. Mr. ENHAM.—Are the Guardians doing anything to remedy this state of things?—I don't know as to that.

168. Is this sort of thing prejudicial to the public health?—Oh, I don't say anything as to that. I know Turin is as healthy a town as any in Ireland.

TRAN.
May 12, 1877.
Mr. GIBSON.

THUR.

Mr. EDWARD JOHN CONNORS examined.

May 16, 1877.
Mr. Edmund
John
Connors.

183. Mr. EDWARD.—Do you know this Peak River where is joins the Nanny?—I do. It is as described by Mr. Henderson, used by a great many people in Bishop-street as a "boundary" in the summer.

190. In the winter do they throw the stuff into the stream?—I don't know what they do with it then.

191. Have you anything to say as to the water supply?—I know my father and Mr. Cloran will spend getting a water supply, and levying a rate for the purpose.

Mr. GORSON.—Mr. Cloran will not.

Witness.—Mr. Straffan will, and they are the principal owners of small property in the town.

192. Are dogs and cats thrown into the river Peak?—They are.

193. Is there any debt due by the Commissioners?—There is £400 due as low costs. There is £120 due to my father as rent for the new fair-green.

Mr. GORSON.—As chairman of the Commissioners I had my reasons for not saying whether we were in or out of debt. The costs will speak for themselves. But for this unfortunate lawsuit we would have had a large sum of money to our credit.

194. What is the rent of the new fair-green?—£50 a year.

195. Is that more than was paid for the old one?—The old one was £30 and £15. There was a good deal of expenditure upon it. The expenditure between rent and everything was something about the same as the rent of the present one.

196. Would you propose any change in the municipal boundary?—

Mr. GORSON.—I should like to see the municipal area increased, and proper boundaries fixed. I would extend the boundary one quarter of a mile beyond the present one.

Mr. CONNORS.—The poor rate in one district a quarter of a mile from TOWN was 4s. 1d. in the pound, whereas immediately outside the town it was only 10s. This was owing to the irregular manner in which the boundaries are fixed.

Mr. HENDERSON.—I have a farm on which I am paying 4s. 1d. poor rate, which by the road is half a mile further from the town than another farm for which I am only paying 10s. poor rate. The boundaries require to be reconstituted.

Mr. CHARLES HILLS stated that there was no drain from his brewery into the river Nanny as mentioned by Mr. Henderson. The water that came out of the brewery ran into the Nanny, but there was no sewage matter or impurity of any kind in the water that was discharged into the river. Although his family did not bury in the present graveyard, and therefore was not interested in the matter, still he thought there was a necessity for opening a new one, as the existing one was overcrowded.

197. Do you think the graveyard ought to be closed as dangerous to public health?—Well, I cannot say so to that.

NEW ROSS.—MAY 16, 1877.

(Before Mr. Commissioner LAWLESS, Q.C.)

New Ross
May 16, 1877.

Mr. Stephen
F. McCormack.

Mr. STEPHEN F. MCCORMACK, Chairman of Town Commissioners, examined.

1. Mr. LAWLESS.—Are you the chairman of the Town Commissioners of New Ross?—Yes.

2. Under what Statute are the Town Commissioners appointed?—Under the 17 and 18 Vict., cap. 103, Towns Improvement (Ireland) Act of 1854, which was adopted, with the exception of the provisions as to public water supply, in New Ross in September, 1856.

3. How was the town governed previous to the adoption of the Act of 1854?—By Commissioners under the 9th George IV., cap. 82.

4. How many Town Commissioners are there?—There are fifteen.

5. Is that number now full?—Yes; there is no vacancy on the board at present.

6. Are all the present Town Commissioners duly qualified?—To the best of my knowledge they are.

7. Is the town divided into wards?—Yes; into two wards.

8. Will you give me the names of those wards?—New Ross and Rosbercon. New Ross ward is in the county Wexford, and Rosbercon ward is in the county Kilkenny. The town of New Ross is partly in Wexford and partly in Kilkenny, and the two wards are divided by the River Barrow which divides the counties.

9. Can you give me the population of New Ross by the last census?—The population is very nearly 7,000 now.

10. Can you give me the rateable valuation of New Ross?—The rateable valuation within the borough is £7,696.

11. Does that represent the valuation of the property within the limits over which your powers of municipal taxation are exercised?—Yes.

12. Can you give me the rateable valuation of the two wards separately?—The valuation of New Ross ward is £7,277 10s., and the valuation of the other ward is £631 5s.

13. How many Town Commissioners are returned by each ward, and how many voters are there in each?

—New Ross ward has 224 voters, and returns twelve Town Commissioners; Rosbercon ward has seventeen voters, and returns three Town Commissioners.

14. Is there any special Act affecting the municipal government of the borough of New Ross?—No, not one. There is no special Act except that relating to the borough court.

15. Do the Town Commissioners of New Ross, as such, possess some landed property?—They do.

16. Can you tell me what that property consists of?—Land and houses.

17. Where is the land situated?—In the county of Wexford, and the houses are within the borough.

18. Can you give me separately the rental of the lands, and afterwards the rental of the houses?—The rents reserved yearly, and payable half-yearly, amount to £342 13s. 5d., and the amount paid by weekly tenants is £17 15s. 4d., making altogether £359 8s. 7d.

19. Were these lands and houses the property of the old Corporation of New Ross before the year 1840?—Yes.

20. Are you able to state by what title the property is held?—Held by charter I should say.

21. By whom are the rents received on the part of the Town Commissioners?—By Mr. Maher, our collector.

22. Does Mr. Maher give security?—Yes.

23. In what way?—In the ordinary way—by sureties and bond.

24. Have you got the bond?—Yes.

25. Can you tell me how the property of the Town Commissioners is held by the occupying tenant?—The land is held by leases for lives renewable for ever.

26. Is all the land held in that way?—It is.

27. Are there more than one tenant?—There are several tenants. (Collector's bond produced.)

28. This is a very old bond; it is dated 19th February, 1856. Are the two sureties mentioned in it living still?—They are both living. The amount of the bond is £380.

29. When you say that the lands of the municipal body are held under leases for lives renewable for ever do you mean only the lands outside the town or the lands and the houses in the town?—I mean the lands outside the town.

30. What are the names of the holdings?—The Commons, Charter House, Kestown, and Benatknock. The Charter House, and 32a. On 18c. what is not held by lease for lives renewable for ever, they are held under a lease for three lives or thirty-one years, at the yearly rent of £78.

31. Do the tenants, which you describe as holding the lands, held under separate leases?—There are separate leases.

32. Can you tell me what the dates of these leases are?—They are very old leases, and were all made in the last century—before 1800.

33. Can you tell me how the charter-school is held?—There was originally a lease of that property made for ever for a charter-house, and that was done away with, and lapsed to the Town Commissioners.

34. I shall want to see that lease?—It is not so very old. All these charter-schools were abolished about sixty-five years ago, and then Mr. Payne got it.

35. Can you tell me how the property in the town is held?—Some by yearly tenancies, but there is a great deal of it in perpetuity—a great deal held by lease. A large store in Bridge-street is held in that way.

36. I have your rental here, but I wish to have marked on it the people who hold by lease, the dates of the leases, in order to have the rental complete?—I shall have it done by to-morrow.

37. Do the weekly tenants of the Town Commissioners hold under any written agreement?—No; merely by a weekly arrangement.

38. Their rents come altogether to only about £17 or £18 a year?—That is all.

39. Have any leases or any lettings of any kind been made recently of any portion of the property of the Commissioners by the Town Commissioners?—I think there was a lease made to a man named Redmond.

40. What number is he on this list of yours?—Number 44.

41. In what year was the lease made?—Within the last ten years; I do not think there was any other.

42. Is there any regulation or rule established amongst the Commissioners as to their mode of letting when any lease runs out?—They always advertise it.

43. Do they advertise for tenders? How are the offers made?—Tenders are received, and there is then a special notice given to the Commissioners, and a meeting is called for the purpose of considering the matter. Such business is not done at the ordinary meetings—notice is specially given.

44. Have there been any lettings made by the present body of Town Commissioners since they adopted the Act of 1854 in the year 1855 to any members of their own body?—No; none.

45. Can you tell me now whether, when they advertise for tenders for any holding, they have a valuation, by some professional and competent person, made of the holding which it was proposed to let?—No; they do not.

46. Did they merely exercise their judgment as to the value of the property?—Yes.

47. What are the pipe-water rents which I see the Town Commissioners here receive. In the last accounts the amount set down as received is £55 5s. 5d. By what right do the Town Commissioners receive these rents?—I have the number of the persons, and the amount charged in the books.

48. Are these payments made for water supplied by the Town Commissioners to some of the inhabitants?—It is.

49. Have the Town Commissioners of New Ross a public waterworks?—They have not.

50. Thus how do they supply water to some of the inhabitants?—The Town Commissioners have three large reservoirs in the upper part of the town.

51. Are those reservoirs situated in any portion of the property of the Town Commissioners?—They are in the borough.

52. Do the people pay for this water supply by contract, or has there been any general rate of payment fixed?—They pay by contract. Manufacturers pay £1 10s. per annum; bakeries and grocers pay 15s.; houses rated at over £20 pay 15s.; so, you see, there is a scale of payment.

53. Is that compulsory; is it under any Act of Parliament?—It is by contract.

54. For instance, can the Commissioners compel the owner or occupier of every house to take the water?—No; they cannot. Every person who wishes to take the water from the Commissioners agree to pay according to that scale of prices.

55. What is the annual average payments for the use of water by occupiers? It was £50 5s. 5d. last year; does that amount represent the average?—I would take the average at £55. We have water pipes laid in thirteen streets.

56. Were those pipes laid by the present Town Commissioners?—Yes; since the year 1855.

57. Have the Town Commissioners, on such, any control or power over the port or harbour of New Ross?—They have not. There is a Board of Harbour Commissioners appointed under the 11th & 12th Vic., cap. 139, who have full control over the port and harbour of New Ross, and power to receive fees and tolls from ships.

58. Do the Town Commissioners receive any tolls or dues from vessels entering the port of New Ross, or any license of any kind?—No; except that they receive a rent of 5s. a year from the Harbour Commissioners.

59. For what do they receive this rent?—In 1845 the then Commissioners, under the 5th Geo. IV., cap. 82, made an agreement with the Harbour Commissioners to leave or give to them any rights they had to tolls or dues, &c., from ships in the port. For this the Harbour Commissioners were to pay the New Ross Commissioners 5s. a year, and were also to light and watch the quay. In the year 1871, the Harbour Commissioners discontinued lighting the lamps on the quays originally constructed for, and about two years and a half ago they also discontinued employing watchmen.

60. Since the Harbour Commissioners ceased to light the quays, and since they ceased to have the quays watched, has that payment of 5s. a year been continued?—It has.

61. Have the Town Commissioners of New Ross any representation upon the Harbour Board?—Yes; you will see that by the 34th section of the Harbour Commissioners Act the chairman of the Town Commissioners of New Ross is an ex officio member of the Harbour Board.

62. Is there any litigation at present between the Town Commissioners and the Harbour Commissioners with respect to this neglect of the Harbour Commissioners to light and watch the quays?—No; there is not.

63. Are those quays which it was stipulated the Harbour Commissioners were to light and watch now, and since 1871 and 1874 respectively, left unlighted and unwatched?—No; the Harbour Commissioners light portion and leave the remainder for the Town Commissioners to do.

64. Is the portion which the Harbour Commissioners don't light now in fact lighted by the Town Commissioners?—It is. The way the thing occurred is this. The Harbour Commissioners, some two years and a half ago, stated that they were bound to light only the lamps which would be of use for the navigation, and that the lamps on the inner side of the quays should be lit by the Town Commissioners. There was then a great contention about the matter, which resulted in our lighting some and not lighting others.

65. Do the Harbour Commissioners still continue to light those lamps which they say are necessary for the use of ships?—Yes; I find I have made a mistake in what I said. Some of the lamps on the quay are

NEW ROSS
May 16, 1877.
Mr. Shephard
F.M.C. Clerk.

New York.

May 23, 1877.

Mr. Stephen
E. McCormick.

lighted by the Town Commissioners; they are left unlighted. I thought at first there were one or two of them lighted.

66. I find amongst the descriptions of your property a weigh-bridge and fish-house, which are referred to by Mr. MacDermott, in the last report he made. What is the weigh-bridge and fish-house?—The fish-house is a place where fish, salmon, particularly, are sold, and the weigh-bridge is used for weighing hay and straw.

67. Are those the property of the Town Commissioners?—Yes.

68. Do the people who require to have hay and straw weighed pay any toll?—Yes.

69. Which the Commissioners have a right to receive?—Yes.

70. What is the nature of the toll paid in the fish-house?—Some small toll for salmon. It is in the nature of a toll of 1d., on each salmon.

71. Which the Town Commissioners are also entitled to receive?—Yes; our tenant could not charge it if we were not.

72. Have the Town Commissioners leased or let their right to receive toll from the weigh-bridge and fish-house to some person?—Yes; the tenant would have no profit unless we had compulsory power to oblige people to weigh all their fish in that weigh-house. We have that power under a by-law.

73. To whom have the Commissioners set it for the present year?—To Mr. Maher, the collector of the borough rate and corporate rents.

74. For how much?—For 10s a week.

75. Do the Commissioners consider it is better to do so than to manage those places themselves?—They do.

76. Is that letting made to Mr. Maher by a written contract?—Yes.

77. Can I see it?—Yes. (Contract produced.)

78. I have here in the minute book the minute of the proposal made by Mr. Maher, on the 11th December, 1876, under which he holds at present, I presume. Here is the minute referring to it:—

"Proposal on the part of Mr. Maher to pay 10s. per week for the weigh-bridge and fish-house, for ten years, to be paid weekly, commencing on the first Monday in January, 1877, and ending on the first Monday in January, 1886, and also to pay all the taxation payable upon the said premises during the year of his tenancy. He offers the security of Mr. Richard Trevor and Mr. James Ryan."

Yes, it is under that proposal that Mr. Maher holds.

79. I find here on the rental (which appears to be for the year ending in 1875) Maher is described as the tenant of the Quay weigh-bridge and fish-house, at the annual rent of £181 6s. Did he hold the weigh-bridge and fish-house formerly at a higher rent than he now pays?—He had them then at 13s a week. Then we put them up to public competition—we did not give them to him without doing that.

80. How did you put them up to public auction?—By advertising for tenders.

81. Can you give me the resolution of the Town Commissioners by which that was done?—It was advertised on the 21st December, 1876.

82. Did you receive any other offers or tenders besides that of Mr. Maher?—No; not any.

83. For how many years before that had you been in the habit of advertising it?—That was the third year. Up to within three years he continued to be the tenant without the premises being advertised.

84. And were they then advertised?—Yes; they were advertised for the first time in September, 1874.

85. I find here that Mr. MacDermott, the auditor, makes a rather important remark about Mr. Maher's tenancy. He says, at the audit on 17th January, 1876:

"I called attention in my last report and previous reports to the large error due by the collector on account of the weigh-bridge and fish-house which he runs from the Commissioners, and I pointed out that if the process to whom the collection of the Commissioners' revenues is entrusted is allowed to receive so much in error, other tenants will not be slow to claim a similar indulgence."

Were the Commissioners aware of this; it seems to me to be a strange thing?—Well, I wish to tell you that Mr. Maher is a very old servant of the Town Commissioners, a very respectable man, but in 1861 the Commissioners deprived him of a portion of the fish-house.

86. Was he the tenant of the weigh-bridge and fish-house in the year 1861?—Yes. They deprived him of a portion of the fish-house for the purpose of making a store for the fire-engine.

87. Did he, by reason of that, make a claim to get a reduction of his rent?—After some years, when he got into arrears, he thought he should be allowed something. The Town Commissioners took the same view of it, as he had been deprived of part of his tenement without getting any compensation, and made him an allowance.

88. Did they make an allowance by remitting some of his arrears?—Yes.

89. Then at the present, does he only hold the fish-house less by that portion of it which the Town Commissioners took for storing the fire-engine?—That is so.

90. Did Mr. Maher pay up the arrears about the non-payment of which Mr. MacDermott complained?—There was a settlement come to.

91. I understand that arrangement to be, that the Town Commissioners took into consideration their having deprived him of that portion of the fish-house, and allowed him for rent in settling the arrears, and that they also took it into consideration in accepting 10s a week as the new rent?—That is not quite so, because he was the only proposer—the only person who offered a rent for the place. On the 10th August, it was proposed at the meeting of the Town Commissioners:—

"That James Maher be allowed the sum of £25 12s. being 1s. per week for six years, in consideration of that portion of the fish-house which the Commissioners took from him in August, 1861, for the purpose of housing the fire-engine, as the condition that James Maher sign a consent for the Commissioners to pay 1s. per week out of his wages, for the payment of balance due by him, after making the foregoing allowance."

92. Have you any idea of what Mr. Maher's receipts for this weigh-bridge and fish-house amount to yearly?—He never enlightened us very particularly on the point, but we have an idea that he does not derive a very large profit from them.

93. Do you, on the part of the Commissioners, think it is better to let those tolls than to receive them yourselves?—Certainly; if we paid a person I am afraid we would have very little profit at the end of the year.

94. Is Mr. Maher, the collector of the corporate rents?—He is.

95. And the collector of your rates also?—Yes.

96. How is he paid?—By a per-centage; he is paid two and a half per cent.

97. Does he get that two and a half per cent. on £26, the amount of his own rent?—He does; he gets two and a half per cent. on the amount of the rental.

98. On the whole rental, which includes his own £26?—Yes.

99. Have you ever had any other offers for renting that weigh-bridge and fish-house?—No. I was going to say we have not had any in my time, but the fact is we have not had any that any of the Commissioners can remember. It was only advertised for the last three years.

100. And then Mr. Maher had been the tenant for at least ten years before that?—Yes.

101. What rate do the Commissioners levy here?—The only rate they levy is an improvement rate.

102. What is the rate for this year?—8d. in the pound. They have, from time to time, struck rates varying from 6d. to 1s. in the pound, and the rate for this year, struck on the 11th January, 1877, is 8d.

103. What was the gross amount of that rate of 8d. in the pound?—It was £246 18s. 3d.

104. How does the collection of that rate stand

just now?—There is £110 lodged and £140 yet to be collected. There was 25 14s. 6d. of arrears added.

105. How often is the collector obliged to lodge his collection?—Every week.

106. Does he, as a matter of fact, make his lodgements every week?—Yes.

107. Who is your treasurer here?—The National Banking Company.

108. By what mode do you ascertain or determine that any arrears of rates are uncollectible. Are they brought before the Commissioners?—Repeatedly. The collection of the rates is then brought under discussion.

109. How often is the collector obliged to lay the state of his collection before the Commissioners?—At every meeting—once every week.

110. Does he lay before the Commissioners any statement as to the portion of the rates that he believes to be uncollectible from any cause?—Yes; and we have to strike them off at the end of the year, either by reason of the places being unoccupied, or of the inability from poverty of the people to pay.

111. Do the Commissioners then decide upon what rates are to be regarded as uncollectible?—They do.

112. When the collector comes before the Commissioners, does he bring his bank book as well as his collection book?—

James Clerk.—I think he has made a lodgement every week for this last twelve years. I check his books in the same way as it is done in the workhouse.

113. Mr. LAWRENCE (to Witness).—I see here that the town receives a sum of money annually from the Grand Jury. Here is a sum received last year of £134 3s. 4d., Grand Jury presentments. What is that for?—The contract for keeping the streets in repair.

114. Are the streets of this town kept in repair entirely by the Grand Jury?—Entirely.

115. All of them?—Yes; the Grand Jury do everything—the Wexford and Kilkenny Grand Juries.

116. Does the sum of £134 3s. 4d. comprise the presentments from the Grand Juries of both counties?—It does.

117. Are the streets and flagways of the town kept in repair by contractors who contract under the Grand Juries of the counties for doing it?—Yes.

118. How then does it happen that this £134 3s. 4d. comes into the Town Commissioners' accounts?—Because the Town Commissioners were contractors at that time.

119. Then the Town Commissioners go through the form of contracting?—The street inspector does.

120. Just look to the receipt side of the audited account. Do the items on that side of the account represent the entire income, from all sources, of the Town Commissioners for the year ending 20th May, 1874?—Yes; every farthing of the receipts.

121. What officers are employed by the Town Commissioners?—The town clerk.

122. What is the amount of his salary?—£75 a year. James Maher, the street inspector—he is also the collector, and is paid 10s. a week as street inspector. James Smith, assistant street inspector, who is paid 7s. 6d. a week. He is sub-sanitary officer, for which he is paid the balance of 15s. a week—that is, he gets 7s. 4d. as sub-sanitary officer.

123. Do you employ any town surveyor in New Ross?—Maher acts as local surveyor.

124. Does he get any additional salary for that?—No, he does not.

125. What officers do the Town Commissioners employ under the Sanitary Act?—Dr. Mullen, who is both consulting sanitary officer and sanitary officer.

126. Do the Town Commissioners pay Dr. Mullen

any salary as consulting sanitary officer?—Yes, and only as consulting sanitary officer.

127. How much do they pay him?—£10 a year.

128. He is also sanitary officer; but that would be for only one part of the town?—Yes, for the Wexford side of the town.

129. There is another medical gentleman for Rosboreen?—Yes, Dr. Meenan.

130. And Mr. Smith is sub-sanitary officer?—Yes.

131. Have you an executive sanitary officer?—The town clerk is executive sanitary officer.

132. Does he get any salary as executive officer?—Yes, he gets £8 13s. 6d. a year.

133. Is any part of that contributed by the Government?—Yes, one-half the salary is paid by the Government.

134. How is the town here lighted, or is it lighted at all?—Yes, and the Town Commissioners believe it is very well lighted.

135. Is it lighted by the Town Commissioners?—Yes, by a contract with the gas company.

136. What is the amount of the contract?—It is 6s. 8d. per thousand feet. We pay it by meter. It is only fair to say that there is a difference of opinion about the lighting of the town.

137. I have not yet visited any town in which there is not. Are the lamps lighted all the year round?—No, they are not.

138. As a matter of fact, how many months of the year are the lamps lighted?—They are lighted eight months in the year.

139. Are they lighted every night during those eight months of the year?—No, they are not.

140. I suppose they are not lighted on moonlight nights?—No, they are not. I should have said that there are twelve lamps which are kept lit during the summer months of the year.

141. You have already said that there are portions of the quays which are lighted by the Harbour Commissioners?—There are.

142. Are all the streets of this town, the principal streets and the smaller streets, and lanes, repaired and kept in order by the Grand Jury?—They are.

143. Even the smaller streets of the town?—There are some few exceptions; little lanes and by-streets; but they are quite insignificant. All the thoroughfares are kept in repair by the Grand Jury.

144. Are the pavements also under the care of the contractors under the Grand Jury?—They are all, without any exception.

145. Do the Commissioners out of their own funds do the flagging in the streets, or anything of that kind?—No; the Grand Juries present for them.

146. One of the vexed questions between the counties and the towns is about that?—We have got on pretty smoothly with the Grand Juries; the only little hitch is because we have not got the contract ourselves, we have not the same control over the contractor.

147. How is the scavenging and cleansing of the town done?—It is, of course, done by us.

148. I find here a charge for scavenging in the accounts for the year 1873?—We are obliged under our Act to keep it clean; we seem to have no power to make the road contractor do it.

149. Do you mean that you have no power over the contractor under the Grand Jury?—He scrapes them, but he does not sweep them; and he removes the manure for his own use.

150. I see the Commissioners debit themselves with the sum of £38 10s. for manure sold. Do they remove and sell some of it?—Yes.

New Ross.
Aug 15, 1875.
Mr. Sheehy
E. McCormack.

MAY 17, 1877.

(Before Mr. Commissioner LAWLESS, &c.)

MR. SHEPHERD F. McCORMACK TESTIFIED.

New Ross.
May 27, 1877.
Mr. Shepherd
F. McCormack.

151. Mr. LAWLESS.—The report of the Municipal Commissioners for Ireland made in 1835 makes reference to charities administered by or under the control of the old Corporation. Do the Town Commissioners of New Ross administer any charitable fund for any purpose?—They do not. I think they are some way connected with the endowed school, but I do not think they administer its funds in any way.

152. What is the endowed school?—A school endowed under certain conditions. The property is in the hands of trustees, and the appointment of schoolmaster is in the hands of the vicar of the parish, with three of the old burgesses.

153. Are the Town Commissioners the owners of the endowed school and the ground it stands on?—They are not. They have something to do with recommending the appointment to Trinity hospital.

154. What is it?—A charity, left something in the same manner.

155. Is there an hospital of that name in the town?—No; it consists of small houses for poor people.

156. A sort of almshouse?—Yes; I think the charity is called the Trinity Almshouses.

157. Are those houses almshouses rented as property in the Commissioners?—No.

158. Have the Commissioners the power of recommending persons as inmates of those houses?—I do not think they have. The matter has been the subject-matter of adjudication in the Court of Chancery, by which it has been settled.

159. Do the Commissioners now receive any tolls from fairs or markets?—None.

160. Are there fairs held in the town?—There are.

161. How often in the year?—Once a month regularly; and there are three or four additional fairs.

162. There are about fifteen or sixteen fairs in the year altogether?—Yes, I think there are sixteen.

163. Are those fairs held in the streets of the town?—Not in the streets of the town proper.

164. Are they held outside of the town?—They are held in a large place called the Irish town.

165. Are they held in this part of the town where we are now sitting?—No. They are held in the upper part of the town—on the outskirts of the town.

166. Are they held so as to obstruct or interfere with the traffic in the public streets?—They are not.

167. Does the holding of those fairs, in your opinion, amount to a nuisance in the town?—No, inasmuch as the place where they are held is very spacious, and there is not much traffic in the Irish town.

168. Is there any toll payable to anybody or any person with reference to those fairs?—Tolls were payable to the old Corporation under an old charter, but they are never collected now.

169. I find by the report of 1835 that they ceased to levy those tolls so far back as the year 1830, and they have never been levied since. Is that so?—That is so.

170. Are there markets held in the town?—There are.

171. How often?—Wednesday and Thursday are the regular market days, and there is a better market held on Tuesday.

172. Are those markets held on the streets in such a way as to cause an obstruction to the ordinary street traffic?—Yes. The Town Commissioners about two years ago adopted by-laws for the purpose of controlling the markets and obliging the people to go to certain mentioned places. There is no regular market-place.

173. Can you give me a copy of those by-laws?—I can. (Hands in copy of by-laws.)

174. Were those by-laws made with a view to compelling people to hold their markets not in the public streets?—No, they were not, because we had no other place in which the markets could be held. Our object

was to have them held in certain parts of the town, where they would interfere less with the ordinary traffic, such a place, for instance, as the quay, where there is a good deal of room.

175. I saw these by-laws appear to have been published on the 28th November, 1873?—Yes.

176. They are by-laws made under the Town Improvement Act, 1854. Did the Town Commissioners find that the publication of those by-laws was effectual in causing the markets to be held where they were anxious they should be held?—I cannot say that they have, but the officers of the Town Commissioners have endeavored as far as possible to make the people carry them out.

177. Do the Town Commissioners or their officers attempt to enforce them by taking any proceedings under the seventy-second section of the Act of 1854?—They do so in the borough court, and the constabulary give us the greatest assistance in maintaining order in the town.

178. Are there any public markets in New Ross?—None (hands in abstract of the accounts of the Harbour Commissioners), but we are at present seeking for a loan of £1,500 or £2,000 for the purpose of erecting a market-house on the quay.

179. For the sale of what articles?—For the sale of butter and fish and other commodities, charging a toll sufficient to meet the outlay.

180. How much do you say you are seeking to borrow?—£1,500 or £2,000. I think that £1,500 will be sufficient.

181. Do you think that amount will enable you to build markets and get them into working order?—Yes; we have a great deal of time to go through yet before we can get the loan.

182. Can you get ground on which to build the proposed markets?—Yes, we can get it free of any cost. There has been an understanding with the Harbour Commissioners to that effect.

183. I was going to ask you about that?—They are our tenants, and they have given us the privilege to erect this edifice on the quay free of charge.

184. I was rather surprised to hear that the market could be built for so little money?—Yes.

185. Is there any public watch establishment in New Ross?—No.

186. Neither night nor day watch?—Neither.

187. I see there is no charge for it in your accounts. There is no payment to the constabulary as a night-watch?—No.

188. I suppose the town is in charge of the constabulary?—Entirely.

189. Will you have the kindness to look at the last abstract of accounts—the last abstract passed by Mr. MacDonnet, the auditor?—Yes.

190. If you look to the expenditure side of that account you will see there an item of £77 15s. 5½d. as the amount expended for scavenging and cleaning the town?—Yes.

191. Does that amount represent the average expenditure for that purpose?—Well, I think it is rather below the average.

192. What was the sum of £103 18s. 10½d. described as expended on street contracts and new works? Are those works for which you get payments from the Grand Jury?—They are.

193. What is the item of £38 12s. 11½d. described as rent and taxes?—It is for head rent.

194. What are the head rents?—There is one of them for the manure yard. Taxes, of course, include the poor rates.

195. Is there any other place for which you pay head rent?—There is no other place.

196. What are the two items charged this—£10 for sinking fund and £10 for interest on loan? Upon

what loan are those sums of interest and sinking fund charged to—On a mortgage loan of £200. The sinking fund is for the purpose of paying it off.

197. What was the loan for? When was it contracted?—In the year 1854. The money was partly spent in making these roads.

198. When was it borrowed?—In 1854.

199. From whom was it borrowed?—From the trustees of the Houghton Hospital.

200. Is that another charitable institution?—It is. That money was borrowed by the Town Commissioners under the 5 Geo. IV., cap. 82, the year before the adoption of the Towns Improvement Act. We have £40 of a sinking fund.

201. What was the sum originally borrowed from the Houghton Hospital?—It was £360, and we have £40 lodged sinking fund.

202. Was the money borrowed to complete this building (the town hall)?—Yes.

203. Has the interest on that loan always been paid up to the present?—No. It should have been paid off now.

204. I mean the interest?—Oh, certainly, it has always been paid.

205. Is this the case—that the Commissioners borrowed at five per cent., and paid the interest up to the present, but you have not formed a sinking fund except for the last four years?—Yes.

206. How is that sinking fund invested?—We lodged it in the National Bank.

207. Can you tell me, Mr. McCormick, is that sinking fund taken into calculation in estimating the balance due by the treasurer at the close of the year?—No.

208. If it was it would turn the balance the other way?—Yes.

209. The balance in the hands of the treasurer is shown exclusively of that?—Yes.

210. What items are included under the head of incidental expenses, £56 9s. 2d.?—It consists of a lot of small items.

211. There is another class of expenses—moneys that you describe as expended under the Public Health Act; for what purpose was the sum of £30 11s. 6d. expended?—For sanitary precautions.

212. You describe it as under the head of water supply. Is it in any way connected with the water supply, from which the Town Commissioners receive the pipe water rents?—No, not at all. There might be some items, but very little expended for that purpose.

213. Is the money expended under the head of water supply for the purpose of keeping up any public pumps or anything of that kind?—The contractor for keeping pumps and fountains in order, who is a smith, is paid out of it.

214. Are there public pumps and fountains in this town for the use of the people?—There are.

215. Were those put up by the present Commissioners, or by the late Commissioners, or by either of them?—Some of them by the one, and some by the other.

216. Is there a sufficient supply for the public use afforded by that means?—No, there is not a sufficient supply in the summer time.

217. From where is the water for watering the streets procured?—It is taken from the tide.

218. What are the salaries and wages under the Public Health Act, for which the sum of £54 2s. 8d. is charged in the accounts?—That includes the clerk's salary and the salaries of the sub-sanitary officer, the consulting sanitary officer, and the executive sanitary officer.

219. Was the £33 16s. 10d., which you see next there taken credit for in making and cleansing sewers?

Is that for the purpose of making main sewers for the town?—It was.

220. How is this town supplied with main sewers?—I think very well; we have main sewers in about twenty streets.

221. Out of how many?—Out of thirty streets, there are some very small insignificant ones in those thirty streets.

222. By whom is this abstract showing the number of sewers in the town prepared?—By the town clerk. The particulars were given by the street inspector to the town clerk, and he prepared that abstract.

223. Have those sewers you speak of—main sewers in the streets—been recently made?—Some of them were made recently, but most of them were not made recently. Some of them were made by means of funds collected for charitable purposes, I suppose, two years ago. Employment was given to labourers in making one of those sewers.

224. They were not made out of the money of the Town Commissioners?—Some of them were.

225. Were they made by the Grand Jury?—They were made generally out of the funds of the Town Commissioners, but one year they were made out of a charitable fund—that was during the great snow year.

226. Have the Town Commissioners divided this town into separate sewerage districts, under the Act of 1854?—No; the town is all one district.

227. Have they ever levied a sewer rate?—No; we have not had occasion to do so. We have expended about 3d. out of the 8d. rate for sanitary purposes.

228. Do you mean out of the improvement rate whatever it may happen to be?—Yes.

229. Is there a public cemetery here?—No, there is not, and no cemetery rate.

230. Are there churchyards in the town which are used for the purpose of interment?—There are.

231. How many of them are there?—Two.

232. Are they in any way to be complained of as being overcrowded, or in a condition dangerous to the public health?—I have heard that St. Mary's churchyard is overcrowded. Of course I only have it from hearsay, but in the second churchyard there is ample room.

233. What is the name of the churchyard?—The Little Churchyard, but now that I think of the matter, I remember that it is outside the borough.

234. Then there is only one churchyard inside the borough?—There are two. St. Mary's and Rotherham, and both of those are said to be overcrowded. There is a chapel-yard, but you can hardly call it a cemetery. It is very small, but not overcrowded, because it is rather new. With regard to Rotherham, I have merely to say that it is overcrowded, and that there was some excitement about it some years ago.

235. Was there ever any application made to the Privy Council about it?—No; but there was a written application to the authorities in Dublin on the subject by some resident.

236. If the object was to have it closed the Privy Council is the authority?—The Town Commissioners went into the case and evidence was given that it was necessary to close it, but of course we could not do anything more.

237. The Town Commissioners have the Urban Sanitary Authority?—They are.

238. Do they keep any record of their proceedings as Urban Sanitary Authority beyond the minute kept in the usual minute book?—They keep a separate record in the same minute book.

239. Can you let me see that book?—Yes (Minute book produced.)

Dr. PETER MORRIS, Consulting Sanitary Officer, examined.

Dr. Peter Morris.

240. Mr. LAWRENCE.—Are you the consulting sanitary officer for New Ross?—I am the sanitary officer and consulting sanitary officer for the union, both for the Rural and Urban Sanitary Authorities.

241. Do you know the system of work pursued

here under the Sanitary Acts. Is there a sub-sanitary officer under you?—Yes; there is.

242. Is there also an executive sanitary officer?—Yes.

243. Is it the practice for the sub-sanitary officer to make his reports to you?—Yes.

New Ross.
May 18, 1872.
Dr. Peter
Mallon.

244. What are the duties of the sub-sanitary officer?—To look after the sanitary condition of the town, and if necessary to draw my attention to any matter connected with the sanitary state of the town when he considers it necessary to do so.

245. Suppose he does not consider a case of sufficient importance to warrant him in calling your attention to it; does he himself call on the people to have whatever is wrong set right?—He does. He gives a verbal notice to the persons concerned to have the nuisance complained of, whatever it may be, removed.

246. When you receive a report from him, do you visit the place referred to?—Yes; I visit it and then make a report to the Town Commissioners.

247. Do you keep any book?—There is a book of blocks in the town clerk's office which contains duplicates of all my reports, I am only sanitary officer here since October last, though I know the town well.

248. Was there any one before you acting in that capacity?—Yes.

249. Who?—Dr. Rosser.

250. Did he resign the office?—Yes, he has resigned. I was at the other side of the water at the time he resigned at Rosineen.

251. Could I see the book containing the blocks of the reports made by you since you have been acting as sanitary officer?—Yes. (Book produced.)

252. Do you find that the reports made by you to the Town Commissioners are generally acted upon?—They are generally. The greatest nuisance I find here is the practice of keeping pigs in their dwelling-houses by the people; they would keep them in their beds if they were allowed to do so.

253. I see that in some cases the Town Commissioners are obliged to take proceedings against the people for doing that?—Yes; in some instances they are obliged to do so.

254. Were the reports made by you on the 8th February, 1877, sent into the Town Commissioners?—They were of course.

255. Because I did have a report on the 8th February, 1877, to the effect that a person named Molloy, keeps a male in a sitting room. You remark in your report that the smell in the house is very offensive and you recommend the immediate removal of the male?—That is a very common practice.

256. In this town?—In this town.

257. And they keep pigs lodged in the houses?—Yes and they are the most abominable nuisance of any. I am surprised there is not much distress in the town on that account.

258. Are the Town Commissioners really and honestly taking steps to improve the sanitary condition of the town?—Yes; the people will when attention is drawn to it remove a nuisance, but they will allow it to occur again if they are not watched. We have a very active sub-sanitary officer, and but for him if the people had a pig they would rather have it in the house at their fire-side than outside.

259. Does your sub-sanitary officer always report such cases?—He does.

260. Suppose he found a particular friend of his own doing that, do you think he would report it?—I do not think he would make such a case exceptional.

261. Have you ever had to complain of want of diligence in the performance of his duty?—The only thing I have to complain of is that he performs it too well, and gives me too much trouble.

262. Do you know the efficiency or inefficiency of the sewerage of the town?—The sewerage of the town is good, generally speaking.

263. Do you know whether or not the houses in the principal streets of the town are connected with the main sewer?—In the principal streets they are, but there are some back streets in which they are not—some back streets in which there is no sewerage. There is one matter connected with the sewerage which I ought to mention. The sewers open down very low to the water edge, and they repeatedly get clogged up.

264. I find a report on 10th November, 1876, lost. The sub-sanitary officer reported that nearly all the outlets of the sewers on the quay were closed up with mud?—Yes, that was a fact.

265. Do you know whether or not anything was done to remedy that?—I think the harbourmaster got some directions about it. I believe it has been made right, but it must be looked after. It was shifting sand did it, and they will get filled up again.

266. I suppose the outlets of all these sewers are in the river?—Yes.

267. Do you know whether or not the Town Commissioners have power over the place where it is necessary to go for the purpose of cleaning them out?—I think it belongs to the Harbour Commissioners.

268. Are the Harbour Commissioners bound to clean them out when they get closed up?—I think it was the Harbour Commissioners made that mud or quay. The cleaning out should be done regularly. I should say at least every three or four months.

269. Are the houses of the poorer people here at all supplied with privies or closets?—There is no such thing amongst the poorer classes. I believe if they had them they would not use them; there is no such thing in the poorer class of houses.

270. Are there any houses in or attached to which there is not any space or means of making privies or other accommodation?—There are several such cases in which there are not backyards.

271. When you find a place where there is no privy but where there is yet space to erect one, do you report it to the Town Commissioners?—I have not done so in the past.

272. Have the Town Commissioners ever caused any privies or water-closets to be erected?—No. They have not.

273. Are you aware that they have power to do so?—I am not aware that they have. If they have I never acted on it.

274. Have the Town Commissioners ever done so?—I have never heard of it except in one case and that took place before I became sanitary officer, although at the time I was acting for the sanitary officer; it was a case in which there was a privy and a sewer constructed at the same time.

275. Where is the place?—It is in North-street—a very respectable street.

276. Can you only mention one case in which the Commissioners required a privy to be constructed?—That was the only case that came under my observation. I may inform you that there is a public privy on the quay for the use of the poorer class of people.

277. Is there only one public privy in the town?—There is also a urinal situated on the quay.

278. Are these places kept in order and cleaned by the Town Commissioners?—They are.

279. Have the Town Commissioners any disinfecting apparatus or anything of that kind?—No; they have nothing except the ordinary means of disinfecting—chloride of lime, whitewashing, and so on.

280. Do they cause a place to be disinfected on your reporting it to be necessary?—There is a very valuable institution called Houghton Hospital, and when the people cannot afford to do it themselves, it is done at the expense of this charity.

281. Have the Town Commissioners anything to do with the administration of the funds of that charity?—None whatever; it is a perfectly private charity.

282. I infer it to be your opinion that the sanitary condition of the town requires to be greatly improved?—It does.

283. Have the people here generally a sufficient water supply?—The water supply at the most important period generally runs scarce. It does so generally during the months of July, August, and September, and at certain parts of the town the water is very scarce. The quality of the water, however, is very good.

284. Has it been analysed?—It has not; but it is very good drinking water.

285. Have you analysed it yourself?—No; I have

not, but nothing could be better than the source from which it comes.

286. Are there public pumps or fountains that afford to the people of the town a reasonably fair supply of water?—Yes, there are.

287. Have these been put up by the present Town Commissioners?—Some of them have been there since before I was born, but they are kept in order by the present Commissioners.

288. Are any of these public pumps or fountains to your knowledge in such a position as to receive contamination from any urinance—canspools or anything of that kind?—I have heard no complaints as to the quality of the water.

289. Have you ever had an analysis of the water made by a skilled analyst?—No; never.

290. Is then your complaint, that the water supply is deficient in quantity?—That is all.

291. Do you know how often the sanitary authority meet here?—Yes; they meet once a week.

292. Once every week?—Yes; the ordinary meetings of the Town Commissioners are also sanitary meetings.

293. I observe by the minutes that some meetings are held at a very late hour of the day?—They always have the meetings in the evening.

294. Is 7.30 a.m., the ordinary hour of meeting?—It is.

295. Is the condition of the town improved by what has been done and caused to be done under the directions of the urban sanitary authority?—Yes; the town is greatly improved within the last couple of years.

296. Are you able to state that as a fact from your

own knowledge?—Yes; although I have not been sanitary officer very long I know every thing about the town connected with that department without any exception it is the healthiest town in Ireland.

297. Have you had any epidemic disease here?—There are only twenty-nine cases in the Haughton Hospital this year; that number with four or five cases in the Workhouse Hospital comprise the whole of the epidemic disease amongst the humbler class of persons.

298. Do you know whether or not your reports are attended to by the urban sanitary authority?—I do always. I know always the order that is given.

299. Do you know whether that order is complied with or not?—They are generally complied with. So far as pigs are concerned I may say that the offence would be soon repeated if they were not very strictly watched.

300. I find on order made about pigs on the 9th November last (reads from sanitary book)?—

"On the report of the sub-sanitary officer that Thomas Hewitt had not removed the pigs from his house, and the same to do so being ordered, it is ordered that if the pigs were not removed within a week proceedings be taken to compel him to do so."

Is that report correct?—Instances of every sort are in that book.

301. Was that man prosecuted?—Yes, he was fined and in default of paying the fine he was sent to Workhouse. Notwithstanding what I have said about the state of the town it is very healthy. The mortality of New Ross is less than that of most other towns, I am sorry to say that the people do not keep their places as clean as they ought to do.

MR. JAMES MASON EXAMINED.

302. Mr. LAWLESS.—Are you the rate collector for the Town Commissioners of New Ross?—I am.

303. What other offices do you hold under the Town Commissioners?—I am also street inspector. Mr. Smyth has been employed with me as street inspector lately.

304. What are your duties now as street inspector?—I have to give directions to the men about cleaning and scavenging the town.

305. Do you superintend the scavenging?—Yes, occasionally; and I see after the streets that require to be repaired by the Grand Jury.

306. Do you, without requiring special directions from the Commissioners, give directions for the repairs of the streets?—I give orders to the men to do what is required; I do not require any special orders.

307. Do you mean to the workmen who are employed and paid by the Town Commissioners?—Yes; I do that or else consult with the committee which was appointed some time ago for the purpose of looking after such matters.

308. When the Grand Jury contract is being worked out is it your duty to see that the repairs and so on immediately necessary, are done?—Yes; it is my duty to see that the repairs are done in every portion of the town—that is, Inny-street, William-street, Michael-street, Mary-street, and every street in the town with the exception of the Main-street, from Cherry-road to Ayle's walk.

309. Have you anything to do as regards the sewers of the town?—Yes.

310. Are you an engineer by profession?—No; I am not an engineer by profession.

311. What are your duties in connection with the sewers?—It is my duty when a sewer is in a bad condition to report the matter to the Town Commissioners and to get it put into proper order. Sometimes they get choked by the rain and flood, and I have to see after them. I may inform you that we have twenty-four catch-traps on the sewers which we had constructed within the last two or three years for the purpose of preventing the bad smell from arising out of the sewers.

312. To whom do you report the condition of a sewer when you find one stopped up or out of order?—I report it to the Town Commissioners sometimes.

313. Supposing a sewer requires to be opened, whose duty is it to see it opened and afterwards closed?—It is my duty to get it done by the men who are employed by the Corporation.

314. You are to superintend the doing of it?—Yes.

315. Have you known this town for a long time?—I have known it for about thirty years. I was appointed by the Town Commissioners in the year 1854.

316. When was the last main-sewer constructed?—We got one made in the year 1848.

317. Have there been any made since then?—There was one made from a place called the Rosbery, which went down past the convent, and emptied itself into a quarry.

318. Was there any made since, except that one?—There was the one which I mentioned as being made in the year 1848 through Michael-street. It was connected with the main-sewer in South-street where the main-sewer terminated previously. There was one, which I forget to mention, made from Church-lane, past the convent chapel, into a quarry at the rear of Mr. Shanahan's hotel. It runs from the quarry down in an open channel for a few paces, and then falls into a sewer in Bridge-street, and discharges itself into the river.

319. Are the outfalls of those sewers into the river so low that they may get choked up with mud?—Yes; and they are then cleaned out.

320. By whom are they cleaned out?—By the Harbour Commissioners at the request of the Town Commissioners.

321. Were they cleaned out in that way last November?—They were.

322. Do you know whether the houses generally in the streets in which there are main-sewers have drains—sewers connecting them with the main-sewers?—In some streets there are, in some not.

323. Do you know whether the Town Commissioners have taken steps at any time to compel the owners or occupiers of houses to make connecting drains between their houses and the main-sewers?—The sewers are very frequently cleaned out.

324. I want to know have the Commissioners ever taken steps to compel the owners or occupiers of houses to make connecting drains with the main sewers?—Well, they have.

New Ross.
May 17, 1857.
Dr. Peter
Nichols.

Mr. James
Hobbs.

New Rize.
May 11, 1877.
Mr. James
Mahan.

325. Will you just mention one instance in which they have done so?—I think I could not mention a case. I do not think I could say that they have ever compelled anyone to make connecting drains. At present there are some proceedings instituted to compel some people to do so.

326. Mr. McCoskell.—In Mill-street there are eighty-eight houses, and there is a main sewer down the street; sixty-four out of the eighty-eight houses have branch drains, and twenty-four have none.

327. Are the Town Commissioners taking any steps to compel the owners or occupiers of those twenty-four houses to provide branch drains?—No; they are not.

328. Are they doing so in any case?—Yes, they are. It has not been found so necessary to do so in those houses in Mill-street, because they have places at the roofs.

329. You say that in some cases the Town Commissioners are compelling connecting drains to be made?—Yes; and there are some difficulties in our way, because the ownership of the places we are seeing about is uncertain.

330. (To Mr. Mahan).—Have the Town Commissioners ever employed any professional engineer to examine into the condition of the street sewers of this town?—No; they have not.

331. That sort of work has been done entirely by yourself?—Yes.

332. How much time in the week do you devote to your duties as street inspector?—For I find you are also collector of rates, and you receive the tolls or dues which are payable at the weigh-bridge and fish-house?—Yes.

333. Do you receive those tolls or dues personally?—I do; but my daughter receives them sometimes.

334. Do you attend there yourself?—Yes; and it is my duty to go round and collect the borough rate.

335. And the pipe water?—Yes.

336. I am afraid that you have not much time left in which to discharge your duties as street inspector?—Since Mr. Smyth has been appointed assistant, I generally make it my business to know what the men are doing. I make a report every Thursday, which I give to the town clerk to be left before the Town Commissioners.

337. Is it the duty of your assistant, Mr. Smyth, to report the result of his inspection to you as to the Town Commissioners?—Sometimes he reports to me, and sometimes to the Town Commissioners, or to the committee who devote their time to the consideration of sanitary matters.

338. Is Mr. Smyth also sub-sanitary officer?—He is. Sometimes I make my weekly report verbally, and sometimes in writing.

339. I find here a report on the state of the sewers through the town. Did you make this report by the special direction of the Town Commissioners?—I did not make a similar report before I made that one for your use.

340. Have all the sewers in this town their outfalls directly or indirectly into the river?—Yes.

341. Do you know anything about the sewers on the other side of the river?—We have three stretch-traps there. There was a sewer made in Rosbreen some seven or eight years ago by the Commissioners.

Mr. McCoskell.—I may say, with regard to the remark you made about Mr. Mahan's not being able fully to attend to all his duties, that the Commissioners

have been endeavouring to get him a retiring pension, and the matter is at present under the consideration of the Local Government Board. The Town Commissioners dealing with him as a very old officer did not like to displace him, but they have noticed the difficulty that you referred to more than once, and if they succeed in getting a pension for him, of course there will be some other arrangement made. I may also say with regard to the sanitary business, that there are a certain number of houses in the town without any accommodation whatever.

342. You say a certain number of houses. Are you able to approximate the number?—I am afraid I cannot, but I should say there are twenty or thirty houses at least in the main part of the town that have no back premises—that have no accommodation of any kind—neither privies nor water-closets.

343. You mean in the best part of the town?—Yes. I believe there are thirty houses in the best part of the town without any privies, night-soil, water-closets, or privies.

344. What becomes of the night-soil in such cases?—An order was made by the Town Commissioners that it should be thrown into the river after daylight.

345. Do you mean by the omission of the houses?—Yes.

346. Has that order been acted upon?—No. That is what I want to draw your attention to. Some people are in the habit of throwing it out into the streets opposite their doors, and when passing through the town at night you find a very bad stench from this cause. I do not mean to say that this is anything like a general practice; but it occurs sometimes, and we find it very difficult to discover the offenders.

347. When the Commissioners made that order that the occupiers of those houses should throw the night-soil and filth into the river, did they intend it to apply only to houses the occupiers of which had access to the river for that purpose?—They all had access to it.

348. Have those houses or any of those places to admit of the erection of privies or water-closets?—No; most of them had not. In fact I should say none of them have.

349. Are they two or three story houses?—Some of them are three stories, but the rest are smaller houses.

350. Are there any of them in the streets in which there are main sewers?—There are.

351. Could there not be found means of making water-closets in those houses, and then connecting them with the main sewers?—I think there could.

352. Should not the Commissioners then compel that to be done?—Yes, I think they should do so under the Sanitary Act, but it would be thought a great hardship to the people if we did that. I wish to say that, as you have heard, we are anxious to borrow some money, and if it lay in your way to say anything in favour of our getting it we would be very much obliged to you.

353. I have not any power or influence in the matter. For what purpose do you require a loan, and how much do you propose to borrow?—We want to get £1,500 or £2,000 for constructing the markets, which it is very desirable we should have. At present there is no protection against the weather for the country people coming into the town. They have to sell their eggs and so on standing on the quay exposed to all sorts of weather.

MR. JAMES TOWN, Town Clerk.

354. (To the Town Clerk).—I have one or two questions to ask you with reference to Trinity Hospital and the endowed school. Was there any litigation with reference to the Trinity Hospital?—Yes, we were brought before the Court of Chancery.

355. When was that?—I think in 1870 and 1871.

356. What did the Commissioners seek for in that litigation?—They were brought into it by the decision of the Master in Chancery. The Town Commissioners, as well as I can recollect, took the opinion of counsel to ascertain if they could institute proceedings to com-

pel Mr. Tottenham to render an account of, and to share the management of the hospital with the Town Commissioners. I believe, speaking now from memory, that counsel's opinion was to the effect that they could not expend the rates in coming in as relators against Mr. Tottenham. The law costs for that matter are something about £18 or £20. Subsequent to that a number of persons in the town, independent of the Commissioners, instituted proceedings as relators, and the case was for some years, I believe, till the year 1866, before some of the superior courts. In 1866

Mr. James
Tobin.

(the Commissioners during all this time were taking no part in the proceedings) Master Murphy made a declaration that he could rule no scheme for the management of the hospital unless the Town Commissioners of New Ross were in court as parties in the suit. Mr. Carr, solicitor for the relators, came before the Town Commissioners with evidence that the scheme for the hospital could not be applied unless they were brought into court. They took the advice of their solicitor, Mr. Boyd, who, as well as I can recollect, advised that the Town Commissioners should be brought into court by the relators. The Commissioners were then brought in, and the cause went on, I think, till the year 1879, when a scheme was produced. Counsel representing the Town Commissioners objected to this scheme, and they therefore became petitioners, Mr. Tottenham and also the Protestant vicar of the parish becoming petitioners at the same time. I cannot remember what exactly took place after that period, but I believe there were five petitioners before the court for some time till the Vice-Chancellor directed the chief clerk to prepare a scheme. The scheme was prepared, and after a number of adjournments, and after being submitted to the Chancellor, I believe it was ruled that the Town Commissioners were to be in for their own costs, and for the costs of Mr. Tottenham, although he was a petitioner the same as the Town Commissioners.

358. Was that the case of the Attorney-General against Tottenham?—Yes.

359. I understand you to say that the Town Commissioners were made defendants at the suit of the relators in that case?—Yes.

360. The Town Commissioners were brought into that case; they did not begin it, but when once they were in it they asserted some right or claim with regard to this charge?—Yes; they believed it was their duty to do so.

361. And was the result of the suit an adjudication against it?—Yes.

362. Did they make that claim in the suit under the advice of their solicitor and counsel?—Mr. Boyd was solicitor to Mr. Tottenham, so that the Commissioners had to get another solicitor.

363. But were they represented professionally?—They were.

364. And they were decreed to pay some costs?—Yes.

365. Were those costs paid out of the rates?—The costs of their counsel were paid out of the rates, and Mr. Tottenham's costs were paid by Mr. Boyd as his solicitor, sequestrating the property of the Commissioners.

366. And were the costs ultimately paid?—They were.

367. Then were not all the costs paid out of the property of the ratepayers?—Yes.

368. Do you know how much in round numbers the costs amounted to?—I cannot exactly say now. I can ask Mr. Boyd to furnish the particulars.

369. I do not want the particulars. Did they amount to £300 or £500? were there not two classes of costs; the costs for the solicitor acting for the Commissioners, and the costs of the solicitor acting for Mr. Tottenham?—Yes.

370. How much did they amount to altogether?—£304 2s.

371. Can you tell me of any other litigation in which the Town Commissioners were engaged in within the last ten years?—I cannot tell you anything of the costs with regard to the endowed school, because they have not yet been furnished by Mr. Boyd.

372. Was there any litigation with respect to the endowed school?—They were brought in by the Attorney-General at the suggestion of the Crown and Treasury solicitor.

373. Mr. Hayes.—The Town Commissioners went into these actions for political reasons, and put the ratepayers to very great expense. There was a splendid school in the town, but it was broken up, and there is no school now.

374. Mr. LAWLESS (to the Town Clerk).—Have there

been any costs paid out of the rates in respect of this?—No, not up to this.

375. Did your solicitor, Mr. Boyd, represent you in this case?—Yes.

376. Did the Commissioners in this case claim to have the right to appoint a schoolmaster to that school?—Yes. In conjunction with the trustees they did. They did not claim that right exclusively, and they did not assert that right till in the discharge of their duty they could not help it.

377. Was any decree made by the Master of the Rolls or in any branch of the Court of Chancery with reference to this matter?—Not that I am aware of. I believe the scheme or decree has not been made up yet. I have not heard of it.

378. I find from reading the information in this case which you have handed in, that the Attorney-General on his own motion not on the information of any relator, states the foundation of this charity, and says that the Town Commissioners of New Ross claim to be the representatives of the old Corporation, and that they had the same right that the old Corporation had to appoint a schoolmaster; that they appointed two persons successively as schoolmasters, and the information says, that the Attorney-General is advised that they were not entitled to do so, and so on. Are you able to state yet what has been the result of that suit?—No result has as yet been reported to the Town Commissioners.

379. What has become of the endowed schools?—It is in hands of a custodian, who was left in it by the last master appointed.

380. Who was the last master?—A man named Dea.

381. By whom was he appointed?—By the Town Commissioners, who have never exercised any control over it since they appointed him.

382. When did they appoint him?—In the year 1874.

383. What has become of Mr. Dea? Does he keep a school there?—No.

384. Is there any school there now?—No.

385. Is the house in a state of repair or in a state of ruin?—There are people living in it.

386. Were there any rents or property dedicated for the support of that school?—Yes, there were.

387. What has become of those rents?—I do not know, none of the rents ever came through the hands of the Commissioners. They never received any of the rents.

388. And as yet this suit has not terminated?—No.

Mr. McCORMACK.—The suit has terminated, and the scheme is being drawn up. We have not yet received the scheme, but I understand from Dublin that it is settled.

389. Can you tell me whether the Commissioners (there must have been a decree of some extent, if the scheme is being prepared) have been decreed to pay any costs?—No; but we were warned very promptly by the Attorney-General not to interfere with the endowed schools in the mean time.

390. (To witness).—Was there any other litigation in which the Town Commissioners have been engaged?—No.

391. Have the Town Commissioners gone to any expense in promoting or opposing any bills in Parliament?—No.

392. Did they promote any bill in Parliament?—No.

393. Did any petition be heard in opposition to any bill?—Yes; as to one bill, but they did so under a guarantee that they as Commissioners or the rates or town property would not be liable for any costs.

394. Who gave the guarantee?—Mr. McCormack, the chairman. I made a statement sometime ago, that the Town Commissioners were reluctant to be brought into the suit about the endowed school. They were brought in by one of the schoolmasters. They did not for years interfere with the internal management of the school, further than recommending the appointment of free scholars, and on one occasion

New Item.
May 17, 1897.
Mr. James
Tobin.

New Ross.
May 11, 1877.
Mr. James
Tobin.

when the Vicar wanted to eject a schoolmaster, he was obliged to come to the Town Commissioners and get them to do so. In the year 1837, there was a schoolmaster in the school named Martin. There was some dispute between him and one of the financial trustees, and Martin came to the Town Commissioners to be allowed to see some minutes and documents in the office. He was allowed to do so, and immediately afterwards he wrote to the Town Commissioners calling on them as public trustees of that institution to discharge their duties. He pointed out what their duties were, and the decision given in the case of Trinity Hospital, by Master Murphy, was taken as a precedent in guiding the Commissioners to the conclusion that they were bound to exercise their trusteeship. They were brought into it in the discharge of their duty.

393. Mr. Magee.—Did not the Town Commissioners take forcible possession of the school?

Town Clerk.—No, they did not.

394. Mr. LAWLESS (to Town Clerk).—Had they a dispute with the schoolmaster?—No.

397. Did not the Town Commissioners appoint a schoolmaster named Hogan, and when?—Yes, in the year 1869.

398. Was he the gentleman who required to see the Town Commissioners' records?—No, that was a man named Martin. The man who took possession of the school was named Kelly. He died, and Hogan was appointed in 1869, and resigned on the 14th October, 1871, and he gave up possession of the premises to the Commissioners, and then the Commissioners proceeded to appoint Mr. Patrick Greene on the 23rd October, 1871, and Mr. Greene has held possession of the premises, &c., since his appointment, and claims to be entitled to do so by virtue of his appointment.

399. What is the annual amount of the endowment of that school?—I have no means of knowing it.

400. Is it £100 or £200 a year?—No.

Mr. WILLIAM MONROE examined.

Mr. William
Monroe.

402. Mr. LAWLESS.—What do you wish to say, Mr. Monroe?—I wish to say something with regard to the water supply. I wish to know if there was any evidence given to you as to the size of the reservoir, or where they are located. They are very small tanks, and are constructed under the regular roadways, down over which some sewers pass.

403. How many reservoirs are there?—There is a reservoir in Mary-street, and the sewer by the foot-paths passes exactly opposite it.

404. Do you mean the surface drain?—Yes, or any sewer in the street.

405. Do you know that to be a fact?—Yes, I know about the surface drain; and if there is any sewer in the street it must pass near to it.

406. Do you mean to state that the water in that reservoir receives contamination from the drain or sewer?—It may receive it from the upper drains. These reservoirs are very small.

407. Is the supply sufficient or insufficient?—Insufficient for the needs of the town.—In my opinion it is absolutely insufficient.

Mr. McCORMACK.—I may mention to you that no doubt the supply of water is insufficient, but the reservoirs are fully large enough to contain all the water we could get. We have been trying for years to get a supply of water, and until we do get it we won't make the reservoirs any larger.

415. Mr. TOBIN, the Town Clerk, handed in a rental of the town properties, and also a number of leases, renewals, and perpetuity grants, made from time to time by the old Corporation, the Town Commissioners under the 9 Geo. IV., cap. 82, and the Town Commissioners under the 17 & 18 Vic., cap. 163, and amongst them the following, viz.—A lease, dated 10th December, 1764, by the Sovereign and Free Burgesses of the old Corporation of New Ross to George Erchen, of 260 acres of the Commons of New Ross, at the yearly

Mr. McCORMACK.—It is £50 a year. Mr. Magee then raised questions, and last said that the Town Commissioners were to blame for going to law. There is a Mr. Kelly present, who has been associated with the Town Commissioners for a great number of years, and if you see fit you might examine him, and give him an opportunity of answering Mr. Magee.

401. The question I have formed from reading the information is that I do not blame the Town Commissioners for wishing to exercise the right of appointing the schoolmaster. There was no way in which the matter could be decided except in the Court of Chancery. This information was filed against them in the Court of Chancery, and in the progress of the suit they were called upon by the Attorney-General not to interfere with the school, and I think they were quite right in not interfering with it until the matter is decided in the Court of Chancery. I do not see anything in the conduct of the Town Commissioners so far as I have gone that is to blame. With regard to the Trinity Hospital, it appears that originally the Commissioners made no claim at all with respect to it. The question arose in the information filed in the name of the Attorney-General against Tottenham and some other people for the purpose of having the title to administer this charity. It appears that in the progress of the suit the judge expressed an opinion that he could not decide the case without having the Commissioners represented before him. They became parties to the suit, and when the scheme was prepared they put forward an objection, made a claim, and the result was that they were ordered to pay a certain amount of costs. The Town Commissioners acted under the advice of their solicitor and counsel in putting forward their claim, and unless there can be shown to have existed some improper motive in putting forward that claim I would be very sorry to condemn them for it.

408. Mr. LAWLESS (to Witness).—Has there been any attempt made at any time to get a supply of water on a larger scale?—I think there has not.

409. (To Mr. Monroe).—Are you a member of the body of Town Commissioners?—No, I am not.

410. Are you a ratepayer?—Yes, I am; and I speak for ratepayers who pay the water rate, but who get no water for seven or eight months of the year.

411. Are the Commissioners obliged, from the insufficiency of the supply, to shut it off?—Yes.

412. Do you pay for the water by contract?—Yes, it is a water rent.

Mr. McCORMACK.—These reservoirs are perfectly free from all kinds of sewage; they are lined, and so far away from anything of that kind as to be perfectly safe. The water is as pure as any in the world.

413. Mr. LAWLESS (to Mr. McCORMACK).—Have you ever had the water from the reservoirs analysed?—I do not think we have.

414. Would it not be well for you to do so, so as to put away all possibility of doubt?—We have a regularly appointed street committee, who watch over and take charge of the reservoirs regularly, and then never has been anything like a suspicion of the impurity of the water. If there was we would have had it analysed, and in any case we will have it done now.

rent of £42, into currency of Ireland; a lease, dated the 1st May, 1748, by the Corporation to William Piggott, of 100 acres, for lives renewable for ever (this lease was by grant under the Honorable Leasehold Conversion Act, dated the 30th June, 1850, converted into a fee, the rent reserved being £19 7s sterling a year); a lease, dated 1st February, 1837, by the Corporation to James Mullins, of a plot of ground in the town, for ninety-nine years from 29th September, 1836, at the yearly rent of £14 4s. 6d.; a lease,

dated the 29th September, 1837, by the Corporation to John Boyd, of premises on the Town Wall, for sixty-one years, at the yearly rent of 5s.; a lease, dated the 4th July, 1838, by the Corporation to Thomas Jones, of a piece of ground in the town, for sixty-one years, at the yearly rent of 24 s.; a lease, dated the 29th June, 1840, by the Corporation to George Payne, of the Charter School-house, and 35a, On. 15b. of land

adjoining thereto, for three lives or thirty-one years, at the yearly rent of £75; and three leases made by the present Commissioners.

415. The Witness handed in also a return of the rate levied by the Commissioners for the last twenty-two years, showing that for that period the average of the rate was 7½d. in the pound.

New Book.
May 12, 1877.

COOKSTOWN.—MAY 21, 1877.

Mr. ELLIEM, Q.C., Commissioner.

Mr. JOHN W. FLEMING examined by the Commissioner.

COOKSTOWN.
May 12, 1877.

Mr. John
W. Fleming.

1. Are you town clerk here?—I am, sir.
2. The town is under the Towns Improvement Act?—It is.
3. When was the Act adopted?—In 1855.
4. Was it adopted for all the purposes of the Act?—Yes.
5. That is including the supply of water?—Oh, that is a thing I cannot say.
6. Was it only for improvement and other purposes exclusive of water?—So far as I am concerned, I am not able to say.
7. Was there ever a water rate here?—Never.
8. What was the highest rate here in your time?—A shilling rate. I believe it was always that.
9. How many Commissioners are there?—Twelve.
10. Has that been always the number?—Yes.
11. Are they all qualified?—Every one.
12. How many ratepayers are there?—There are about 279.
13. How many of these are above £4, or up to £12, and how many are above £12?—I am not sure.
14. I suppose you will be able to give me the numbers?—Yes.
15. What is the valuation of the town—how much for houses and how much for land?—The total valuation is £5,320 15s., for which we strike town rates. There is no land in connection with these, with the exception of a few little gardens.
16. They come in with the rating of the houses and there is no land rated separately?—No; except some small gardens.
17. You have uniformly struck a shilling rate?—Yes.
18. That produces?—The whole of the rate was not collected. £315 1s. 1½d. was the entire amount of the rating last year, but there were 24 11s. 3d. of irrecoverable rates.
19. There is some portion uncollected in that?—Yes.
20. The rate this year was 1s. also, and that produced?—There is no rate struck yet, but it will be struck next month.
21. In what period last year did you strike the rate, because I see here the account was audited on the 13th July, up to the 18th May, 1876, and between the 18th May, 1876, and the 18th May, 1877, you would have had a rate I presume?—Yes.
22. How much was the amount of the warrant?—£315 1s. 1½d. That was for last year.
23. How much of that has been collected?—It has been all collected but about 50s.
24. How much fines did you get this year?—About £70.
25. How much did the dog tax produce this year?—About the same as last year.
26. Was there anything else this year coming in?—We got 18s. for government house property.
27. What's your balance at the close of this year?—I am not sure, but it is a little under what it was last year.
28. I see it was £101 12s. 3d. last year. Just run through the expenditure account this last year—I will have to make it up—the balance at the close, on the expenditure side, was £101 12s. 3d.
29. Were the salaries the same?—The same.
30. Pumps?—£10 12s. last year. Nothing this year.
31. Lamps and lamp-lighters about the same?—A little over last year.

32. Gaslight?—£120 this year.
33. Printing and stationery?—About the same.
34. Rate collector's remuneration?—The same.
35. Audit fund?—The same.
36. Rent and taxes?—£12 9s. 4d.
37. Sweeping contracts?—£5 7s.
38. Flogging?—About the same.
39. Naming streets, &c.?—We have not that this year.
40. Interest, £5 2s. 3d.?—It will be about the same this year too.
41. Repairing engine?—Nothing this year.
42. The balance will be a little less than last year?—Yes.
43. Are you gas manufacturers yourselves?—We have a gas company.
44. Do you light the lamps by contract with them?—We do. The gas company charges 8s. 4d. per 1,000 cubic feet.
45. How do you measure the quantity?—We burn it by meter.
46. How do you arrange about the meter?—We have sixty lamps and six meters—a meter for every ten lamps, and then we take the average of that meter for the other ten.
47. Is it the gas company's or your own men light them?—It's our own men.
48. In that way you have control over them?—Yes.
49. Are sixty lamps sufficient for the town?—Quite sufficient at the present time.
50. Do you light all the year round?—Usually from October to April, but not during the summer at all.
51. Do you light all night during the dark nights?—These last two winters, all night.
52. What are the salaries?—My salary is £20.
53. Are there any other officers employed by the Commissioners?—None; there were sometimes ago until the Sanitary Act in 1874.
54. Have you an inspector of nuisances?—We have not. The Board of Guardians have one.
55. Does the rate collector give a bond?—I think not; he is a man that there is not the least doubt about, and I think he has never been asked for a bond.
56. The Belfast Banking Company are your treasurers?—Yes.
57. Is there any supervision exercised over the time of the collection of these rates?—He made close his warrant within any time?—He usually commences about August, and is done about the beginning of the year.
58. Does anyone check his accounts with him weekly or monthly, or when are his accounts gone over?—When he is done collecting, he gives in a statement of the amount uncollected, and the rest must be lodged in the bank.
59. Is he made lodge it as he collects from week to week?—Yes; usually as he collects it.
60. Who checks it?—I check it.
61. Every week?—Not exactly; but as often as he comes in, that is sometimes every week and sometimes not. At the beginning of the season he will be in every two or three days.
62. What amount has he ever in his hands?—Sometimes as much as £20; but sometimes he collects more than that in the day.

COCKSTOWN.
May 25, 1877.
Mr. John
W. Keating.

63. Does he lodge that in the bank?—He does; he doesn't keep it in his hands at all.

64. Have the Commissioners ever discussed the propriety of his giving a bond—no matter how solvent a man is, in the rule?—They have not. I think it has been overlooked.

65. Is the same man long collecting?—About four years.

66. About the cleansing of the town—who does that?—The road contractor usually. The Town Commissioners employ a person for sweeping the crossings twice a week but that is all.

67. Who looks after the lanes, because you must have some lanes and small streets?—I may say we have not; our town is one long street, about one and a quarter or one and a half miles long; we have two or three other streets off it, but they are quite broad.

68. Does the road contractor clean all?—He does.

69. Does he do it fairly and properly?—Yes, usually, if he does not the Commissioners order me to write to the county surveyor to pull him up.

70. Do you do it?—Usually.

71. What about the flagging? Was there a sum of £500 given by the Grand Jury some years ago?—The Town Commissioners' flagging was extended along from the hill to the church, and the Commissioners agreed to pay one-third, if the county would pay the other two-thirds; and the Commissioners got five years to pay that, and they pay £100 every year. It came to £1,500, and the Grand Jury have done the rest.

72. Have the Commissioners here ever noticed the question of trying to get Grand Jury powers given to themselves?—Not that I am aware of.

73. Was it ever suggested that that would be desirable, or a saving to the town?—I heard it talked of at the Town Commissioners' meeting several times, but they never applied.

74. How is the town supplied with water?—It has about fifteen public pumps—of course for one or two I don't say positive—and a great many wells, that is a great many private ones.

75. Is the water supply sufficient?—Yes, sir; I should say it is quite sufficient for the use of the town.

76. What condition are these wells in—has the water in them been analysed?—I believe it has.

77. Was it found to be good?—I could not say; I rather think there have been complaints of some of them.

78. Are the Guardians taking steps to get a water supply here at high pressure?—They were a short time ago, but I think they have given up the idea.

79. I find it stated in a paper or pamphlet just handed to me, that on the 1st August, 1876, there were thirteen specimens of water from the wells in Cookstown submitted by the Board of Guardians to Dr. Hodges, in Belfast; and he reports—"I find all the specimens, with the exception of three, are contaminated by sewage matter, and unfit for domestic use."—At that time the Guardians had been making sewers, and it was thought by the inhabitants of the town that some of the sewage matter had got in. It was a dry part of the season when there was almost no water in the pumps.

80. No doubt it was the 1st of August; but no matter whether there was much or little in the wells some of it was sent to Dr. Hodges, and he says in his letter to them, "Ten out of the thirteen are filled with sewage matter, and unfit for domestic use."—Yes; I believe that's quite correct.

81. He also says that even No. 13, though "free from pollution was not suitable, on account of the quantity of salt of lime and other mineral matters in it. Nos. 8 and 9 although rather hard are free from organic impurities." Are those ten pumps still used?—They are all used.

82. Have any steps been taken to purify them?—I believe the guardians either are taking, or have taken some steps in reference to it.

83. What are the steps?—I believe they are getting them repaired at the present time.

84. Repairs to pumps won't take away the sewage matter from the water. "I find that all the specimens, except three, are contaminated with sewage matter, and unfit for human use." And he goes on to give the analyses, and they are pretty strong. Repeating the pumps won't get rid of the sewage matter?—It is probable that some of the others that will be examined can explain that satisfactorily.

85. So far as you know, has anything been done since to stop it?—Nothing of much importance, so far as I know.

86. Are there any slaughter-houses here?—Yes; there are two parties that kill cattle in the town.

87. Are they registered, or does anyone exercise any supervision over them to see if they are kept clean or not?—That's a thing that I suppose the clerk of the union, or Dr. Graves for the union can explain; that's taken out of the hands of the Commissioners.

88. Why don't the Commissioners make them register under the Act?—Well, they have never done that, and there has been never any complaint about them.

89. Have the provisions of the Lodging House Act been put in force here by the Commissioners?—I believe by looking over the books, that it was a good number of years ago, but not lately.

90. Are there any lodging houses here?—I am sure there are.

91. Does anyone ever look after them to see if the law is carried out?—So far as I know, nobody does.

92. Is there much over-allowing here in the dwelling-houses of the poor?—I have not heard of any complaints.

93. Have you heard great complaints about the sewage of the town?—Yes, very great.

94. I see a charge of rent and taxes in the account, what are they?—The rent is what the Commissioners pay for the use of their room to the landlord—£8 a year, and the taxes are the taxes on the room.

95. The £5 2s. 3d. for interest, what's that?—That's interest paid to the treasurer on the account overdrawn.

96. How have you overdrawn it? Have you not a balance?—No, the balance is due to the treasurer. You will see at the end of the year 1875 there is £145 2s. 3d., and then at the end of the year ending 1876 there was £101 12s. 2d., due to the bank. A good number of years ago the Commissioners got into heavy debt sinking pumps—they had to go down a great length sinking pumps, and got into debt to the extent of £500 or £600, and they have been gradually reducing it since.

97. Why did they not put on a water rate? You have power to go to 1s. for improvement, and 6d. for water, and now you can increase that up to 2s. How did you induce Mr. Simms to give you credit for the £5 2s. 3d.?—Mr. Finlay when he came first stated it was not exactly legal for him to allow that, but seeing the Commissioners had always been in debt, for this time he would not disallow it. Then Mr. Simms said something just the same, and, of course, I informed him that we were trying as much as possible to reduce it, but we could not raise the rates any higher.

98. Why do you say "could not"?—Except we struck a water rate. If we had the town would have been up in arms to destroy us.

99. Suppose Mr. Finlay strikes off the interest the next time you will have to make it up?—We will have to pay it ourselves.

100. Have the Board of Guardians struck anywhere else?—Yes, I cannot say how much—whether 6d. or 4d.

101. Have they struck it on Cookstown?—It appears so.

102. For how much?—It was 6d. up to this year, and it's 8d. this year—at least some one here says so.

103. What have they done for that?—They have made a great many sewers through the town.

104. Was that expended entirely on sewerage?—Yes.

105. How far is the workhouse from this?—It's about a furlong.

Mr. JOHN HARRISON examined.

Cocktown,
May 22, 1871.
Mr. John
Harrison.

106. Are you chairman of the Town Commissioners?
—Yes.
107. How long have you been a member of the body?—The greater part of the time it's an existence. I went out at one election, and was out some years.
108. There are twelve Commissioners?—We have always had twelve; there was under a former Act only eleven.
109. Has the property in the town been increasing?
—It is, and has been, and is continuing to increase.
110. Is the area of the town sufficiently large in your opinion, or do you think it ought to be increased?
—When the new sewerage and water scheme was introduced it was evident that it would cost a good deal of money, and I was a strong advocate of increasing the area of taxation.
111. Is that feeling shared by the people of the town?—Of course it is.
112. Are there many houses built immediately outside the present area of taxation?—It's inside they are building.
113. That will still help?—It will.
114. The Grand Jury have been contributing two-thirds of the flagging for you?—Yes.
115. About what is the county cess you pay here?
—The two gales make from 2s. 6d. to 2s. 8d. in the pound.
116. What is your opinion of the water supply?—There was a water stream came into the town, and when the manufacturing of linings got on extensively we got mills up to the advantage of the town, and the proprietor of the water stream directed a good deal of the current to supply one of the mills in the north-western part of the town, and we found that the whole town was not well enough supplied, and the Commissioners set about sinking wells, and expended large sums of money upon them until we got twelve or fifteen of them at easy distances, and had the town satisfactorily supplied; but a great necessity arose. It came from the new sewerage, to get a still stronger supply to flush the sewers.
117. What do you say as to what Dr. Hodges reports of the quality?—I think the specimens were sent to him at a very unfavorable time; the surface matter was running and percolating into them, and gave a very unfair opinion about them. By keeping these water-tight on the surface, he would alter his opinion, and other analysis would alter his opinion perhaps too.
118. Has the water since been analyzed?—Some others have analyzed some, and not so unfavorably as Dr. Hodges. There is a part of the town where there is as good water as in any town where I ever tasted water—that is in the upper end of James's street and Loy street; in the other part—William street and Obbott street—the wells are sunk through limestone rock, and are impregnated more or less with lime.
119. Since Dr. Hodges gave this analysis have steps been taken to prevent the surface sewage getting in?
—We drew the attention of the Board of Guardians to it, and it is only now they are being carried out. The Board of Guardians have taken a contract to prevent that flow of sewage matter.
120. It would appear that in December Dr. Hodges had the subject before him again; of course he got fresh samples, and he says "They are very unlike the specimens of water supplied from Cocktown sometimes ago?"—Yes.
121. I see Dr. Cameron had them too; and you say it must have been some bad day the water was taken for Dr. Hodges at first?—It was bad in consequence of the surface water percolating in.
122. I see that this gentleman, Mr. McKinnon, the engineer, in this report says there is plenty of water underneath the town in different places. In your opinion suppose these wells were kept clean, and the street sewage prevented from running into them, will the supply of water be ample and good?—Yes, quite ample and good.
123. Do you want any scheme for getting more water?—No. In that part of the town where it is

- through limestone rock I took a well myself; it is largely impregnated with lime, but a pleasant water to drink.
124. It's hard?—Very hard, and will hold down a sediment of lime, but except that the water is good and wholesome.
125. Was there a good supply of water from the stream called the Burn for washing purposes?—Yes, that was adopted for laundry purposes.
126. Was the water of that up to the present pure?
—Yes; and some would come pure yet, if it was allowed, and there was some effort made to fiddle it into lifting places.
127. Is there any other stream coming into or through the town but that?—None but that; there is a large river at the end of the town.
128. Is that stream polluted at the mill above the town?—Yes; a good deal that they use and pass through their apparatus flows into a separate stream, and the road separates the two burns, the foul being on the south and the pure on the north of the road.
129. Is the foul mixed with the pure then?—The pure goes down into the foul. Formerly the pure was the lower level and the foul the higher; now the foul is the lower level and the pure the higher. It runs under the street.
130. Before the mills were erected, was it perfectly pure?—Yes; except at one season of the year it got out of use owing to the fear, from July, August, and September.
131. What is the existing state of circumstances with regard to the sewers here, in consequence of or in relation to which you sent us a memorial to hold an inquiry here?—In the first place they have cost a great deal of money, and the last rate, although the town clerk didn't know it, was 8d., and it left a balance against the rates, and should have been more. Part of the work has fallen in since it was done, although supposed permanent, and I understood the estimate to repair this is 26l. The falling in happened in the open drains that takes away the refuse of both burns.
132. Did the guardians, as the sanitary authority, make these sewers?—Yes.
133. Up to that time, had the Commissioners taken any steps to make the sewers themselves?—They very often spent a considerable sum of money in keeping the open drains clean, and appointed a sub-committee to see to it, and they did it well. I recollect one gentleman of the Commissioners present had it so effectively drained as at the present time—Mr. Anderson. He got them well cleaned.
134. Was it the guardians themselves moved in the matter of this extensive system of sewerage for the town, or were they called on by the people?—There was an attempt made by the Town Commissioners themselves, and it was greatly to the surprise of many of us that we found it taken from our hands and handed over to the guardians.
135. That was in 1874?—Yes; I had no idea of the Act of Parliament passing until that.
136. What is the population of Cocktown?—About 3,600, according to them.
137. Did the guardians, when they became the sanitary authority, begin to carry out a system of sewerage?—They carried out what the Commissioners were thinking about. I opposed it then to a large extent, unless on the condition that the area of taxation would be increased, seeing that the ordinary expenditure of it was quite enough, and to add more to it would be too heavy on struggling shopkeepers.
138. How much are the poor rates?—The poor rates of the town are very moderate, about on the average 8d.
139. Did the Board of Guardians determine to carry out a system of sewerage for the town?—They did; a great deal of this arose, because our then chairman, Mr. Devlin, was also chairman of the Board of Guardians, and anything he took up he carried with a high hand. He was well supported indeed; I supported

Witnesses.
May 25, 1876.
Mr. John
Warkentin.

him myself; and we were led into vast expense beyond what we would have been led for that.

140. Is the expense of the sewers entirely thrown on Coolstowry itself?—There has been some addition made to it, the town, as long as we were the Commissioners, only embraced the houses and gardens belonging to them. We cut the line as close as we could to that in laying out the boundary, so as to have no land in it. The sanitary district now is much larger.

141. Are the guardians charging the expense of the sewers in the town solely on the district comprised in the town, or on any of the surrounding district?—Yes; the surrounding district which is in the sanitary district.

142. Is the land outside paying for the sewerage since 1874?—Yes, it is.

143. Have there been disputes going on between the people and the guardians with regard to these sewers and their construction?—Complaints are very numerous, and if you listen to all, you will hear plenty about the way the sewers are working at present.

144. Is it your opinion that there has been a lavish expenditure, or improper expenditure of money?—There were clever engineers, but it has cost up to a large sum of money. I am left in a bad condition by it—no person in town so bad—the main sewer, a very large one, passes under premises that I had out a great deal of money upon, and they are in a worse state than I would wish to describe them.

145. Will the sewers be a benefit to the town?—In some instances they will. There is one district, the south-east district, close to me, that is largely benefited, and up to the workhouses they are largely benefited by it—houses with cellars to them in that neighbourhood. Some of the works constructed have actually fallen in. The open culvert that takes water away from the covered one, and is built on both sides with dry rubble masonry, has, during the winter, slipped in many places. A gentleman told me he measured four branches: one place was about 100 yards; in another place there was a lower quantity. And practical men, in estimating for the repair of these, say £500 is wanted. That occurred immediately after the work was taken off the contractor's hands. As to the working of the smaller pipes, I saw some places where they were doing very badly; and I am told of others where they were doing worse. The reason I am so badly circumstanced is—the fresh water has ceased to run in the large old culvert under my premises, and into this culvert there are smaller drains falling from water-closets and the like, and must remain there.

146. Is it not covered in in such a way as not to cause a nuisance to your premises?—It's impossible—it escapes through stonework. To give you an idea, while the works were carrying on, one of the veins of the gas works was broken, and the gas disengaged into this culvert; it got up into my parlour; one Saturday is got to its height, and before Sunday was over my family threatened to leave the house. I brought the gas manager, and he got it spliced.

147. Is the thing now completed under your house?—I think the gas pipe has the splice put on it at that time on it yet, but the manager says it is effective in stopping the breach till a new pipe is put in.

148. Was not that an accident?—But it's not a pleasant position to be in.

149. You say there was a pure stream went under your house before?—Both went under it—the impure and the pure. Now neither goes. I thought they had made arrangements that the pure would still follow to flush the impure, until it would meet the new one again.

150. Do you know whether in consequence of complaints made as to the construction or improper construction, as alleged, of the sewers, the Board of Guardians had an engineer to examine them?—Yes, I think they engaged Mr. McKinnon to examine them as well as Mr. O'Neill.

151. Can you tell me has Mr. McKinnon reported unfavourably of these sewers?—Yes, he has of some of

them; he reported very unfavourably as to the depth they have altogether.

152. Are the Guardians going on with the work notwithstanding Mr. McKinnon's report, or have they stopped?—I think they look upon the sewerage as complete.

153. The date of his report is December, 1876, and it was not finished then. Did they finish it according to their original plans, or according to the suggestions of the gentleman they called in to get the report from?—I think it was a good deal according to their original plan, but some of those interested had a good deal of influence in making changes upon it occasionally, because I believe that I had satisfied the engineer that the fresh water should come down under any place, and by some means that opinion was changed.

154. Mr. McKinnon, in his report, suggested that the proper way would be for the Barna water to be allowed to run in its original course, and to have a pipe laid from it to flush the sewer when it required it?—Yes; to go up to the old sewer when it required it; that was not done, nor an attempt at it.

155. It suggested that three and four sewers or districts should be put into one, and carried out to the outfall?—That's in the southern extremity of the town, and I know less about that than the others. The principal management of it was left to the members elected from that end of the town.

156. In your opinion were these sewer works carried out for the benefit of the town, or for the benefit of individuals?—The thing is so mixed up I would not say it was altogether for the benefit of individuals, but it was largely, and the town received a lesser benefit in a great degree.

157. Did the Guardians borrow money for the purpose of completing these works?—Yes.

158. From the Board of Works?—Yes.

159. How much?—There is £4,000 borrowed, and there is a claim for another £1,000.

160. How much is expended upon these sewers?—Not being a guardian I have it only from the officers—there's £4,000 borrowed, and there is another £1,000 wanted.

161. Were there not complaints for damage?—Yes; some they referred to reclamation, some took them to the quarter sessions, and some succeeded, and some did not. I don't wish to be in law holding an official position, and they refused me any compensation whatever.

162. Was the sewerage carried out by the Board of Guardians generally, or only by a section belonging to the town?—The Guardians, as a body, had no wish to do the thing. I heard several of the rural guardians say that; and they left it to six picked out of their number, who had property in the town—they left it to a select committee of these six, but it so happened that the six never met together, and it devolved upon two or three of the six.

163. I see that Mr. McKinnon, in his report, says that the work ought to be executed for £3,700, whereas it has cost the town £4,450?—When we were talking about having the plan at £3,750, I described that we were never out of debt, and we would have to take it, like the flagging, in piecemeal.

164. Was there ever any remonstrance about going on with these extensive works?—There was just. When there was a talk of waterworks, the town got into a fever. There was a meeting called by the late chairman, Mr. Devlin, in this room, and when he found that the ratepayers would vote altogether against any additional taxation, he left it in the hands of the whole mob of the town. The ratepayers showed that they would not be taken that way, and forced the meeting to be changed, and placed me in the chair, and condemned the whole thing.

165. You say that the sewers are actually made, and the money borrowed and spent?—Yes; that's the position we are in now.

166. You cannot help yourselves now the money being borrowed; we really thought that the matter was only in contemplation, and that you were trying

to stop, in some way, the heavy charge which it was sought to impose on the ratepayers. Did you apply to the Local Government Board on the subject, and were the proceedings sanctioned by them?—We did, and they sent it back to the Guardians, who referred it to the sub-sanitary committee. I told you of, and the chairman had meetings just as it suited his and their convenience. They managed it as they pleased, and left us in the middle we are now in.

167. Were there consultations made by the people to the Local Government Board?—Several times.

168. Were they made to your knowledge?—A dozen of us went up with a memorial to them one Saturday.

169. Were there ever any complaints made on the part of the people to the Local Government Board, complaining of the conduct of the Guardians with regard to this system of sewerage?—I don't know that it was formally to the Local Government Board; it was mixed up with the water question at the last.

170. Is it in your recollection that there were representations made to the Local Government Board?—Yes, and to the Guardians. No man could have told it better than the late chairman.

171. Did the Local Government Board send down their own engineer here to examine it?—I did not know it at the time, and never heard of it; these things were all private; the taxation was on as before we knew what we were about.

172. I wish to ask you, as chairman, as to the sanitary condition of the place. Do the Board of Guardians carry out the provisions of the Sanitary Act, 1874, and the Public Health Act, 1866?—Well, the rural guardians, when they come here on the market-days, are in a hurry to get away, the thing might as well have been given to some sub-committee; the guardians don't want to attend to it, and don't do it. They think it somewhat inconsistent that they should lay on taxation that they never are called upon to pay for at all.

173. Do the Board of Guardians transfer all the powers of looking after the town to a sub-committee?—Just so.

174. Is the sanitary condition of the town attended to?—The walls that are the principal things for us, have been very badly attended to since it went into their hands; we as Town Commissioners would have been glad to pay attention to them and keep them in order, but we were completely overruled by the new Act.

175. Do they look after the sanitary arrangements of the houses of the poor people here?—There is a good deal of that done, in the backyards and the like.

176. Have the small houses; privy accommodation?—All except a few houses in a back street, where there is no backyard, and which was a difficulty with the Commissioners who proposed different expedients for them, such as making wooden accommodations outside that could be carted away daily, but it didn't come to

anything. People of that class generally throw their dirt out on the streets.

177. Does that continue yet?—There is nothing else for it; there are about eight or ten little houses only. Except that portion, the town is very well done, though there are some open sewers and places yet that are not kept very clean.

178. Are the better class of houses in the town, all connected with the main sewer?—Yes, or being done.

179. Are the guardians attending to that?—The sub-sanitary inspector is.

180. Is there any portion of the town, where it is joined by the bad stuff which flows uncovered through the town?—No, they put a small pipe at the extremity of my premises to take it away, a very small one to bring it again into the new one below, just at the junction of Union-street which you passed in coming from the railway station.

181. Is it your opinion that it would be better for the Town Commissioners to have the control of the sanitary arrangements, and that they could manage them better?—It was an egregious mistake to take it from them.

182. From your knowledge was the sanitary condition of the town better before '74 than now?—I would not say that, it would be a hard thing to think that £2,000 was laid out for nothing. There are some places a great deal better, the parts of the town up to the workhouse are all improved.

183. I see that in '73 there was an inquiry by one of the Local Government Board's inspectors as to the sanitary state of the town, caused by the badness of the sewerage?—Yes, sir.

184. Did he report then about the bad state of the sewerage?—He did.

185. I suppose that was the origin of all?—Exactly, and when we were striving to be economical the Government stepped in and the new Act came into operation, and it went over to the guardians.

186. Do you know whether the Local Government Board sent down any engineer after Mr. O'Brien's inquiry?—On some statement that Mr. O'Neill's plans were too extensive, they sent down a Government engineer to see and overlook them, and I think he approved of Mr. O'Neill's.

187. If that be so, all the guardians would appear to have done is, they found plans adopted by the Local Government Board and by the engineer, and they carried them out?—I think it was after the plans went to the guardians, the Local Government Board sent down.

188. Was it the Commissioners or the guardians, employed Mr. O'Neill to make the plans?—The Commissioners first, but we found his first estimate more than the rates would afford, and we gave it up thinking to do it piecemeal.

189. That was the condition of things when the Act came into operation in '74?—Just so.

DR. HENRY GRAVES EXAMINED.

190. Are you the sanitary officer here?—Yes.

191. Tell me about the sanitary condition of the town. First of all about the water. Are these wells all set right?—They are being set right at present; but I will put you in a better position as to the state of things as they were in August, 1875, and see now, by reading you two letters of reports that I read to the Board of Guardians:—

"August, 1875.

"I am not the least surprised, at Dr. Stokes' report on the operations of waste sent to sea for analysis, ten out of the thirteen of which he pronounced contaminated with sewage matter, and unfit for domestic use. I have, during the present week, carefully examined each of the public pumps in the town, and beg to inform you that, with one or two exceptions, they are all set of order, clean, and liberally supplied to the latest state, to which they should be fully accorded by strong iron bolts; in most the joints between the flaps are open; the result is, that when the water used in washing, carrying, &c. is thrown out, it, along with the surface water and sewage matter, is carried directly back into the wells. Now, let it be understood, that sewage matter sets or puts worse mud in the same way as a small fragment of porph or bone sets on a large vessel of dough, in the first instance contaminating the entire water, and in the other lowering the entire mass. I

therefore submit that a competent person should be employed to put the pumps into perfect order, and receive special instructions to make the upper flaps perfectly water-tight, closing the joints in the flaps with Roman cement, &c. I believe if this be done, and the water examined after the lapse of a reasonable time, it will not be found in so deplorable a condition as is at present supposed."

192. Was anything done acting on that report?—A man was appointed to look after them, but virtually they never were taken charge of, as this will show you:—

"26th March, 1877.

"Tomorrow Year sub-sanitary officer, Mr. McKillop, will report to you his examination of all the town pumps. I have sent over these, and find that all the coverings are well defective, and the fittings and freestone slabs where they ought to be, have the surface sewage flows or percolate unduly into the wells, thus polluting the entire water supply. I therefore most urgently request my recommendations presented to you in August last, that a competent person should be employed, and that he receive special instructions to make the upper flaps perfectly water-tight, and joints, &c. A man should be employed to inspect the pumps every day, and once to be remedied any defect connected therewith as soon as discovered. The surface coverings should also be kept clean and dry."

Coverings.
May 25, 1877.
Mr. John
Harrison

Dr. Henry
Graves.

Cookstown,
May 21, 1877.
Dr. Henry
Graves.

At the present time these pumps are under repair; there is a sum of £10 to be expended, which will not have much effect upon them; the pump opposite to my own door I saw it opened, and it was wonderful the amount of foul horrible stuff that was immediately over the well. I would say it was directly connected with the well, but you are aware that that foul matter will percolate through a considerable distance of soft earth.

183. Are you able to say as to the condition of the water? Is the water pure or impure?—I believe if Mr. McKinnon's suggestion was carried out, that the water supply would be, if not made perfectly pure, vastly improved; and I have never seen any ill effects from the water.

184. In other respects are the provisions of the Public Health Act carried out? Are there many houses here without sinks or privies?—I am sorry to say that the privy accommodation, at the lower end of the town particularly, is very bad; and the privies not only are few in number, but in horrible condition. No later than a fortnight ago I had to report a whole block of houses.

185. Do the Board of Guardians attend to your reports?—I have reported the privy accommodation over and over again, and little or nothing has been done; sewers and sinks have been cleaned, and the stuff removed.

186. These houses that are without privy accommodation, do they throw their night soil into the streets?—Not on the streets, but into the gardens.

187. Are they allowed to collect it there?—Yes; they are scattered about in all directions. It is dangerous to the health of the people distinctly.

188. How often have you reported these places to the Guardians?—If I had my report-book here I could show you my books; I have done so several times.

189. Are they in the same condition still?—Almost so.

190. If they are dangerous to the inhabitants, why do the Guardians not proceed to close the houses?—The houses are not dangerous, but the accommodation is very wretched.

191. Are they dangerous from want of accommodation?—They are.

192. The owners could be made to do it under the Act, or the Guardians could do it themselves and charge the owners. We had some prosecutions at the petty sessions, and there was some dispute as to whether it was the owner or occupier was liable for the expenses to be entailed.

193. With regard to the rest of the town, are the houses generally—the better class—properly supplied with accommodation?—Yes, fully so.

194. Have they drains connecting with the public sewers?—Yes, as a rule.

195. What about the sewers? In your opinion are they constructed badly or well?—Badly. I reported upon the 6th February, 1876, on what I considered the inefficient way they were being done:—

"When the contractor opened the cutting in Water-street, which was done with brickwork, the wells on either side became perfectly dry, as soon as the cut was carried a few inches below their bottom the water from them percolated to the cutting then to the lower level. If this be so, and it cannot be denied, surely it is reasonable to conclude that where these wells are open, as by necessity they must, sink to a level below the bottom of the sewers, the sewage will percolate to the well if the sewer be not water-tight, and thus create frightful diseases. I am informed by several of the witnesses that being constructed in sections, the work is put together very loosely, and the contractor, as reported to me, runs out as fast as it goes."

196. Does it drain through the sewers?—Distinctly. *Canessa* states that all bricks should be laid in hydrated mortar, and not "greased" with Roman cement.

197. Do you say that the sewers as constructed are not water-tight, and that the wells having to be sunk below them the sewage matter will get into them?—In walking from the railway station there are three public wells which have become dry; one was a public well, that had a splendid flow of water; the Rev. Mr. Leslie's well became perfectly dry, and Mr. Millar, hotelkeeper, was obliged to sink another well. There are some near the railway which used to be perfectly good, but they are dry in consequence of the sewers.

198. As a matter of necessity, must they be sunk deeper?—Yes; and I am told if they do the sewage matter will percolate into them.

199. Was there any efficient overlooking of the contractors?—The work was approved of by the officials before it was paid for.

200. Are you satisfied as the sanitary officer with the sewerage condition of the town?—The sewerage condition of the town in some parts is vastly improved, but in a considerable portion it has not done any good. In Gortkewery a great many sewers have fallen in, as Mr. Harrison stated, to the open sewer. It is not immediately through the town, the culvert is carried down below Mr. Gennings's house, and then there is an open sewer which goes down to the effluents.

201. Have the sides of that fallen in?—Yes; and completely blocked up the culvert or stopped the flow of sewage through the culvert very easily.

202. Is there anyone looks after the lodging-houses of the town?—There is a sanitary officer when his attention is drawn to it. They are not registered, nor are the slaughter-houses.

203. Have you ever represented anything about that to the Guardians?—I never reported any of them.

204. Is there much or any overcrowding in the dwellings of the poor people?—There must be where there is a large moving population. I suggest on Saturday nights, when many tramps come in, there would be considerable overcrowding, but not as a rule. There are, no doubt, some bad localities in the town.

205. Have the people of the town ample hospital accommodation—the poor people?—There is the fever hospital and the workhouse hospital, but the people, as a rule, have a strong objection to go to either.

206. How the situation of the guardians been called to the fact of these wells being dried by the sewers?—This report has been before them.

207. Have they made any effort to get a new water supply for the people?—No; there is a possibility about this limestone here; it is very porous. For example, when a public well was sunk on the opposite side of the street to my house my well became dry, but in the course of twenty-four hours it was up to its own level again, and I have found since that my well exists as a reservoir for the public well.

208. Have you found any bad effects amongst the people of the town from using this water?—I cannot say I have observed it. We had at the end of last year some cases of typhoid fever, but I could not trace it to the water.

209. Do you happen to know whether these slaughter-houses are kept in proper order?—I have been in one or two of them at times, and they are as clean as slaughter-houses usually are. I think they are fair specimens of slaughter-houses.

Mr. John
Marshall Wicks

MR. JOHN MARSHALL WICKS EXAMINED.

210. What evidence do you wish to give?—I am a Town Commissioner and have been so for seven years. I was Chairman when the plans for the sewerage of Cookstown were prepared. The town was in a wretched condition—no town in Ireland so bad.

211. What engineer prepared the plans?—The Commissioners employed Mr. O'Neill of Lurgan.

212. Was that before or after the inquiry?—It was before the inquiry of 1872. We got the plans

prepared by Mr. O'Neill and they were approved of unanimously by the Board of Commissioners. We considered that it was necessary to get the area of taxation increased in order to run our outfall sewer, and it was for that we asked the inquiry held in 1872 by Mr. O'Brien. At that inquiry Mr. Harrison gave evidence in favour of the plans of Mr. O'Neill.

213. If the thing is completed, I don't see what I have got to do with the sewerage question at all. The

plans are carried out and the money is raised. As I said before, we thought that the work was not done, and it was on that account I came down to hold this inquiry, from the requisition sent to me.

232. I live in Gortelovry and the benefit to the town is incalculable. One of the largest owners of small house property told me that it was an immense benefit; houses that were formerly quite bad, were this year perfectly dry. His own property was immensely increased in value, and it is the feeling of all in the town that it has been a great benefit.

233. What about the water?—With regard to the water we have only twelve public pumps in the town, and the supply is inefficient. By twelve o'clock the wells are generally pumped dry. One is being closed at present by the order of the Guardians. As regards last year it was told from the samples sent up that there were ten feet for use. Nothing has been done to remedy the condition of that water since; we have been obliged to drink it since, and nothing will be done till the Guardians are compelled to bring in a pure supply of water. Unless the law is made compulsory you will never get people to tax themselves for the benefit of others. Dr. Rougman, when he was here, stated he would not be induced to drink a drop of water in this town. Even if it were good, we have not enough of it. If a fire occurred in the town we have no water to put it out with. The wells are only from twenty to thirty feet deep in running sand, and they cannot keep out the sewage matter.

234. Dr. Graves says some of the wells are running dry by the sewers being at a lower level?—Certainly the water is running away into the sewer; and the sewer was made purposely to drain the country, and Dr. Cameron recommends that to be the best means of making a sewer. There was only one public pump run dry by the sewer.

235. Have the Guardians given up the idea of getting this water supply?—No; I don't know that, but there was much opposition that the people seemed to prefer to drink anything than to pay for pure water. A through supply of pure water can be had for £5,000, which would be about 8d. in the pound. At the same time it is a serious thing for the people of the town, and for the Guardians, as the sanitary authority, to leave the people to drink this water that is in such a state; but they ought to be tried and executed if they don't do something. They say, however, they don't live in the town, and won't do it; as for the town Guardians, I don't know what they drink. But I am better satisfied with the Guardians than with the Commissioners, because they may be induced to bring it in, as they will not have to pay for it.

236. Do you know the condition of the wretched class of houses which was spoken of?—I do; it is scandalous. There are a number of houses here which was pig-houses and cow-houses, and are now dwelling-houses; and the Commissioners or the Guardians don't think they have the power to do them.

237. Have the Guardians not the power since 1874?—Yes.

238. Dr. Graves says he is tired of reporting them?—There are numbers without back-doors, and with only one small miserable room—houses formerly occupied by cows are now inhabited by people; most wretched houses they are, and the Guardians fail to carry out their duty in that respect.

239. Dr. Graves has reported them, and what more can be done?—The Guardians should be compelled to live in them for a short time; then something would be done.

240. How many are herding together in those rooms?—A very great many; and they are used as lodging-houses. On fair nights the people crowd into those houses—pick-pockets, bad characters, and all sorts.

241. Are the slaughter-houses here kept right?—Yes, they are.

242. The Guardians know very well they ought to give every pump 300 cubic feet of air?—They have nothing of the sort here. The Commissioners at one time got the houses all numbered and registered; but it fell through; that was about five years ago. Unless the police had charge of it, I don't believe it will ever be efficiently done; the recommendation given to the sanitary officer is not sufficient.

243. Is there any water near these people's houses?—It is a considerable distance away; the town is one and a quarter mile long, and the wells are scattered here and there. There are only two pumps in the town, which, according to Dr. Hodges, are fit for use; one of them is usually pumped out by ten o'clock in the morning. Last summer it was generally dry by nine o'clock. There is one thing I wish to draw attention to. I think it would be advantageous for towns to have the management of gorse-lands and markets.

244. Are there fairs held here?—Once a month; and the market every Saturday, and the corn market on Tuesdays.

245. Is the fair held over the town?—The cattle fair is held only in one place.

246. Is any entrance created through the town in that way?—None.

247. Do you derive any benefit from it?—We do not.

248. Is the town well kept in the way of scavenging?—Very badly. The contractors do their work very badly.

249. Are the places where these wretched families are ever linedashed, disinfected, or cleaned?—They are linedashed sometimes. Before these wretchedness was carried out there was an open sewer, but now it is closed in, and they throw out all refuse into the streets or gardens—they are thrown out in heaps.

250. Who removes it?—No one removes it, unless the landlord might occasionally go round.

251. Until it is washed away by the rain?—Just so. There is great occasion for water to flush the sewers in summer; unless this be done they will rapidly stop up.

252. You don't appear to have a good fall for your sewers?—We have a very bad fall. The land about the town has been immensely improved by the sewerage.

253. Is it not paying for it?—It is. The town stands in the townlands of Cookstown, Loy, and Gortelovry, and these townlands are all made to pay for it, although a portion of these don't stand inside the boundary, and these outside think they have a great hardship in having to pay for the sewerage of the town.

254. Do they pay the full 8d. in the pound?—Yes. The Local Government Board said they could not divide the district.

MR. WILLIAM ALEXANDER GUNNING EXAMINED.

255. What evidence do you wish to give?—I am Vice-Chairman of the Board of Guardians and a Town Commissioner. I should like to refer to the difficulty of the Guardians in dealing with matters in connection with the town.

256. With regard to the sanitary matters of the town?—Yes. In the former chairman's time, the Guardians connected with the town were called a sub-sanitary committee, and every matter in reference to such things was thrown into their hands. At March last, when I was elected vice chairman, there were only

two other Guardians besides myself connected with the town, and to the three of us the Guardians referred all matters in connection with the sanitary affairs. Well, to give you an instance of it—you have heard Dr. Graves speak in his report of the contract No. 3, which has fallen in at Mr. Gunning's. "Thus the passage of the main sewer is imperfectly constructed and ought to be repaired." The order made by the Guardians was "referred to the sanitary committee with the request that they will have the work done at once." That was on the 11th May. On making further

Continued.
May 19, 1917.
—
Mr. John
Marshall Wain.

Mr. William
A. Gunning.

Continued.
May 21, 1891.
Mr. William
A. Greenup

inquiries we found that the estimate from one man was £62, and from another £37. One of the Guardians was from home when these were handed to us, and the other was with me on Saturday at the workhouse, and we agreed that we should not receive these tenders without consulting the board itself. I went over the ground on Saturday evening, and I could scarcely form an opinion of what it would take to do it, but the sum would be very considerable. But I think as far as the sanitary affairs are concerned, they would be much better in the hands of the Commissioners than the Guardians.

248. About that falling in—is that not a heavy expenditure to have with these new works?—So I should say.

249. Was the contractor bound to keep the works in repair for any time?—Three months. As regards the pumps, then, we had complaints about them, and Mr. Allen, Dr. Charles, and myself, were directed, as the sub-sanitary committee, to get proposals for repairing them and putting them into order. The difficulty we had to contend with at first was that we could get no one to estimate for it; the Local Government Board wrote to us to urge it on, and we, after some difficulty, got a contract, and they are being thoroughly cleared out and repaired now. As reference has been made to the sewage matter altering into them, I may say that I saw myself, where the top had been taken off one, the joints showed that the sewage was escaping and going down to the well. That will be obviated by the cementing it properly.

250. Suppose the water can be made good, do you think the supply will be sufficient from these wells?—I believe they will be made perfectly good. There is a well within 100 yards of Mr. Weir's house equal to 5,000 gallons a day alone.

Mr. Weir.—That is a private well that I have no

right to go to. It is a private well erected for machinery in Mr. Hamilton's.

251. Mr. RYAN.—Are the present Board of Guardians taking steps to have want in an undoubted deficit last summer rectified?

Mr. Gunning.—Yes, but I think it is rather too much to expect that these sanitary matters should be handed over from the parties who originally had and should have the management of them, to the shoulders of two or three.

252. What about the portion of the town when these houses are which Mr. Weir said were formerly cow-houses and pig-houses?—I am sorry to say that Mr. Weir and I live almost opposite to them.

253. What has the sanitary authority done about that?—They belong to a gentleman—a Guardian also.

254. And as he a Town Commissioner too?—Yes.

255. Dr. Graves tells you, and he is prepared to state it before the magistrates, that these houses are unfit for human habitation. There is a section of the Public Health Act which says the magistrates may make an order to close them?—We tried to get them closed, even out of our own pocket, but could not manage it.

256. If the sanitary officer certifies to you that they are unfit for human dwellings he will state that before the magistrates, and I am sure the magistrates will know how to act?—There have been a few prosecutions, but up to the present time there has been some little difficulty in deciding in whose name the summons should be brought, but I think that has been now set at rest—the name of the sub-sanitary officer.

257. Are you satisfied with the lighting of the town?—Yes.

258. Have the guardians done anything at all with reference to cleaning the place where these houses are?—Not that I am aware of.

Mr. John
Richard.

Mr. JOHN RICHARD examined.

259. What do you wish to state?—I have been a member of the Town Commissioners for years, and a member of the Board of Guardians for about four years. I resigned my position at the Board at the last election, and was a member of the sanitary committee referred to so frequently here.

260. What do you say about the water?—I say the water is only defended by those who are afraid of the taxation for it—that every honest man must say.

261. Then you think there ought to be an ample supply?—I do. I have properly myself, and I would only be too proud to be taxed for it. I have seen people at five o'clock in the morning pumping where they could not get a drop. Some gentlemen who lie in bed don't see that. I saw the report of Dr. Hodges, and I am ashamed of my townspeople coming forward here to refuse that. There must be something that you, hearing these things in various towns, thoroughly understand.

Mr. Hugh
Adair.

Mr. HUGH ADAIR examined.

264. Is the water supply sufficient? Do you think it is sufficient?—I do; and it is in very bad order.

265. Do you think there is plenty of water to be had in town?—There was 150,000 gallons a day pumped out of the sewer in one place, while the sewer was being constructed; they required to put a steam-engine upon it to keep it dry. As to the quality—the analyses that were obtained at that time in every instance showed that the quality of the water was good, if kept clear from impregnation by the sewerage. There is one point that I would like to mention, that in spite of this bad water that we have all been drinking, it is wonderful that our death-rate will compare with any in the North of Ireland; our rate is 16 per 1,000, whereas the county Tyrone generally is 25 per 1,000, and the death-rate has never been so large or great as since this sewerage was made. I have to complain, too, that I am included in the boundary of taxation and derive no benefit from it—that the charge

263. Do you say they are badly impregnated?—I cannot say more than Dr. Hodges. It is a failing that gentlemen have, that have a little property. I wish to have plenty of property to pay taxes for it. With respect to the sewerage scheme, I was on the Board of Commissioners when the plans and specifications were brought forward, and it lay there a dead letter under the board, when the money was paid out of the taxes of the town for the making of the plans, and all these measurements, &c., &c., by the engineer; it lay there for years. When I was elected a guardian I urged the chairman of the board to take those plans into their hands, which they did; they placed those plans before the Local Government Board and the Board sent down their own engineer and when they did this, we set about having it done at once.

263. Do you think the present supply of water is sufficient?—We have an abundant and sufficient supply.

for extra sewerage has not been properly proportioned in Cuckstown. There are four townlands comprised in the town, or that the town is built upon; there are only three of these townlands charged with the extra rate, and one townland that is included for the special charge is not affected by the sewerage in any way.

266. That is, it has to pay its share and give no benefit?—Yes.

267. Which portion is that?—There's Gortelovry, Loy, Coolnafranky, Mourah, and Cuckstown. Mourah gets the benefit of the sewerage and is not charged the special rate, and Coolnafranky is charged and gets no benefit. I have to complain also that there is an equal rate charged on all townlands whether much or little affected by the sewerage. We have been advised by counsel that the money should be fairly proportioned over the townlands, yet neither the Guardians nor the Local Government Board take any notice of it at all.

Mr. WILLIAM SMITH examined.

Continued.

May 11, 1877.

Mr. William Smith.

248. On what point do you wish to be examined?—I was one of the Commissioners that took an active part in having the plans drawn up by Mr. O'Neill.

249. What about the water?—The town at present is in a most abominable state for want of water, and the water is bad. I have seen from two to ten and a dozen people waiting for water, and could not get it. The Commissioners have ordered, too, that no carts,

nothing on wheels, can go near it; and people having carts have to go to the country for water.

250. What about the sanitary condition of the town?

—It is not kept clean enough.

251. What about these poor houses?—Well, there are some houses that are not so good as they ought to be; there is no proper supervision over them. There are wells in this town that nobody would think of using.

Mr. JAMES McMILLAN examined.

Mr. James McMillan.

May 11, 1877.

252. Are you one of the Town Commissioners?—I am not; I am a private inhabitant.

253. What do you say about the water?—I am not at all opposed to the water, because we do require it; but I am opposed to the way they are trying to bring it in. I believe the wells are not properly attended to; if they were, there is sufficient water in the town and neighbourhood to supply the wants of twice the inhabitants we have. There is a well in my own yard

and the water is excellent. Mr. Raphael and Mr. McKenna have wells in their yards, and they are all good. The wells have not been sufficiently protected from impurities percolating into the water, but to say that Cockstown is deficient in water is a thing that nobody would say. They all take it for granted that if pipe-water was here it would be all that would be desired. Now, it is very doubtful whether it would be better or softer, or not.

Mr. JOHN TROSBROOK examined.

Mr. John Trosbrock.

May 11, 1877.

254. What do you wish to say?—I am an inhabitant for eighteen years. The quality of the water is proved to be very bad, and the quantity inefficient. A good supply is what we want at present. There

could not be a proper supply got by pumps; the soil is broken rock and drift soil, and the only place where there is pure water is where there is soft clay.

Mr. THOMAS McCRELAND examined.

Mr. Thomas McCreland.

May 11, 1877.

255. What do you wish to speak about?—The complaint of the ratepayers about the extravagant way in which the sub-committee has laid out their money on the sewers.

256. But what about the water?—The parties who were supposed to be the opposition are not opposed to

water; they are in favour of a plentiful supply; but they are not in favour of the extravagant way they would give it to us. They told us the sewerage would cost under £5,000; now we are told that it cost £5,000; and the thing will just be the same with the water.

NEWRY—MARCH 5, 1877.

(Before Mr. Commissioner LAWLESS, Q.C.)

Mr. ROBERT H. DOHERTY examined.

NEWRY.

March 5, 1877.

Mr. Robert H. Doherty.

1. Mr. LAWLESS.—Are you the town clerk of Newry?—Yes.

2. Under what Act are the Town Commissioners of Newry constituted?—Under the Towns Improvement (Ireland) Act, 1854, the 17 & 18 Vic., chap. 108; and another Act, the 34 & 35 Vic., chap. 198, called the Newry Improvement and Waterworks Act.

3. Are the Town Commissioners as a body incorporated by that Act?—Yes, and have a common seal.

4. When was the Towns Improvement Act of 1854 adopted in Newry?—In the year 1855—in February, 1855.

5. What Act were the Town Commissioners under before the adoption of that Act of 1854?—The 9 George 4, chap. 82.

6. How many Commissioners were appointed in Newry, in February, under the Act of 1854?—Eighteen Commissioners. Each ward returns six Commissioners.

7. Is that number full now?—Yes.

8. Do the present Commissioners possess the qualifications required by the Act of 1854?—Yes; they all possess the necessary qualification.

9. Is this town of Newry divided into wards?—Yes, it is divided into three wards.

10. Give me their names, and how they are situated?—The North and South Wards, which are situated entirely in the county Down, and the West Ward, situated in the county Armagh.

11. Give me the valuation of those wards respectively, and the number of voters in each?—The valuation of the West Ward is £13,106 5s, South Ward £9,111 12s., and of the North Ward £7,443 9s., making the total £29,660 12s. Those are the valuations for 1876.

12. What is the valuation of the entire town for the year 1877?—The revised valuation of the entire

town is £30,102 17s., which includes everything. The gross valuation for 1877, of the county Armagh portion is £13,353 5s., and of the county Down portion, £10,767 12s. The number of voters are—in the West Ward, 401; South Ward, 375; and North Ward, 375; total, 1,051.

13. Are the limits of the municipal borough and the Parliamentary borough coterminous?—No; the limits of the Parliamentary boundary are much larger than the municipal boundary.

14. Do you know the acreage of the municipal borough?—The gross acreage of the municipal borough is 7,114. 3a. 4r.

15. And I believe the Parliamentary limit is about three times as much?—I suppose it is fully that.

16. The population at the census of 1871 was, I believe, 14,078?—Yes.

17. Have the Town Commissioners of Newry any property besides that which they acquired by the purchase of the sites for markets?—No; nothing except what they acquired under the Act of 1871.

18. Have they any property from which they receive rents?—No; they have no rents.

19. Are they entitled to any receipts from the port and harbour of Newry?—No; none.

20. By what body is the port and harbour managed?—The Newry Navigation Company—a joint stock company; it is managed by them.

21. I believe that body is constituted under a sanction of Acts of Parliament passed for the purpose?—Yes.

22. Does the Newry Navigation Company receive the entire incomes derived from the port and harbour?—Yes, with the exception of such dues as are received by the body called the Carlingford Lough Commissioners, who receive a portion of the dues.

23. What portion do they receive?—A tollage for

NEWRY
March 6, 1872.
Mr Robert H.
Inchery.

passing over the bar of Carlingford and using Carlingford Lough.

24. Have the Town Commissioners of Newry any interest in these receipts?—No; nor have they any control over them.

25. Have they as Town Commissioners any representation upon the Board of Commissioners of Carlingford Lough, or upon the Newry Navigation Company?—On the Newry Navigation Company they have no right to any representation; on the other hand they have a right to appoint two, but from difficulties that from time to time arose, and a belief that they were not treating Newry fairly, the Commissioners sought to remove them.

26. By what authority are these Commissioners appointed on the Carlingford Lough Commission?—By the authority of a Provisional Order of the Board of Trade, confirmed by Act of Parliament in 1854.

27. Are any members of the Municipal Corporation of Newry, by virtue of their office as Municipal Commissioners, appointed on the Board of the Carlingford Lough Commissioners?—There are two. One of them has ceased to be a Town Commissioner, and he refuses to retire from the Board of the Lough Commissioners in favour of another whom they wish to appoint. The other is still a Town Commissioner. They consider that they are appointed for life.

28. Has the position of the gentleman who ceased to be a Town Commissioner been filled up in the Town Commissioners in the ordinary way?—Yes; in the usual way—by the ratepayers.

29. I find that by the Newry Improvement and Waterworks Act of 1871 the powers of the Grand Juries both of the county of Down and county Armagh have been transferred to the Town Commissioners, except so far as regards county at large charges?—Yes.

30. And I find that by the 24th section the Town Commissioners were empowered to purchase and acquire lands. Have they purchased lands under the powers of this Act?—Yes; for the purposes of the Act they have.

31. For the purposes of public markets?—Yes; for the purpose of constructing public markets.

32. Have they erected a town hall in Newry?—No; they have not.

33. Have they erected baths and wash-houses?—No.

34. Have they opened any public park?—No.

35. Have the waterworks for obtaining a supply of water, the construction of which was contemplated by this Act, been made?—They are made—perfectly made.

36. Are they now in operation?—Yes; working satisfactorily.

37. Were there any public waterworks in Newry before they were made?—There were works known as Halliwell's waterworks.

38. Whose property were they in 1871, when the Act was passed?—They were then the property of the Town Commissioners.

39. When did the Town Commissioners acquire them?—Sometimes in 1870. The draft agreement for the purchase of Halliwell's waterworks was adopted by a resolution of the Town Commissioners passed on the 15th February, 1870, appointing Mr. Keft, Mr. Bernard B. Murray, and Mr. Park Neville, as arbitrators to fix by award the price to be paid for these works.

40. Was there a price fixed by those arbitrators?—There was.

41. How much was it?—The award was £3,948.

42. Was the agreement adopted by the municipal body?—Yes; it was ratified by them afterwards.

43. Have you got the resolution referred to there?—I have the minute of it.

44. Will you let me have it?—Yes. (Reads resolution.)

* 26th December, 1869. That the water committee be authorised to carry the arbitration with Mr. Halliwell into effect, and that authority be given to them to apply for a loan at a rate of interest not exceeding five per cent.

On the 2nd May, 1870, the award was made by the arbitrators, and a report was sent in. A very long document was received from Mr. Park Neville.

45. Read the minute of the 2nd May, 1870?—It deals with a scheme for making a reservoir at O'Sell's bog, which would cost £7,750, and in this bungs in Halliwell's waterworks. The award fixed £3,948 as the price to be given for these works. They were purchased, and on the 24th April, 1871, the purchase-money was paid. The Town Commissioners were not able to borrow the money at the time the arbitration was made. They sought to borrow a larger sum—£10,000—for the purpose of extending the existing system and supplementing it by another supply, and in consequence some time elapsed. Difficulties arose, and it was February, 1871 (nearly a year after the date of purchase), before they were able to effect the loan of £5,000 to pay for the works, and in addition we had to pay five per cent. on the amount of the award. In February, 1871, the Town Commissioners paid to Mr. Halliwell's trustees the principal sum of £3,948. They paid also £2 5s. 6d. on account of the loan, £25 14s. 6d. the costs of the arbitration and loan, and £39 their own solicitor's costs. These sums, amounting to £4,103 11s. 6d., were paid out of the £5,000. They paid also £146 16s. 10d. interest on the purchase-money. That interest was paid out of the rates. The balance of the £5,000 after the above-mentioned payments was applied in purchases and works connected with Halliwell's waterworks.

46. Were the works then conveyed to the Town Commissioners?—Yes; but they had had permission of them the year before.

47. Were these works regularly and legally conveyed to the Town Commissioners?—Yes; they were then regularly conveyed.

48. Did the Town Commissioners levy any water-rate?—Yes; they levied a water rate of 6d. in the pound under the 17 and 18 Vic., cap. 103.

49. I find by the Act of 1871 that provision is made for the supplying of water to the public by the Town Commissioners from that source which they acquired by the purchase from Halliwell's trustees, and also from the supply of water that was to be provided under the new Act of 1871?—Yes.

50. Have they since continued to supply the town from Halliwell's waterworks?—A supply has been since obtained from the new works at Carrilough, and the town is supplied from them always, except a case should arise in which they might have to draw on Halliwell's waterworks.

51. What is done with the supply from Halliwell's works?—Nothing at present. The pressure from it was not strong enough to reach the higher portions of the town by gravitation.

52. Upon what security did they borrow the £5,000 in February, 1871?—On the security of the rate of the town—on the 6d. water rate.

53. Have you got any copy of the mortgage?—That mortgage has been paid off since.

54. Entirely?—Yes.

55. From what source has the money to pay it of been obtained?—By the borrowing by the Town Commissioners of £15,000 on the 26th March, 1871, which was to be repaid in thirty years.

56. Under what authority was that £15,000 borrowed?—It was borrowed under the Act of 1871. The £5,000 mortgage was paid off two days afterwards—on the 26th March, 1872.

57. From whom was that £15,000 borrowed?—From the United Kingdom Temperance and General Provident Institute.

58. At what rate of repayment was the £15,000 borrowed?—At five per cent. interest and one and a half per cent. sinking fund, or nearly so; the debt to be extinguished in thirty years from the date at which it was borrowed.

59. Upon what security was the £15,000 borrowed?—On the security of the Newry town rate and water rate—the Newry town fund and water fund.

60. Up to the time of the passing of the Act of 1871 was there any other public debt owing by the Newry Town Commissioners except that of £5,000 contracted for the purchase-money of Halliwell's waterworks?—None.

61. Have the Municipal Commissioners borrowed any more money?—Yes; on the 3rd of June, 1872, they borrowed a further sum of £15,000 from the Church of England Assurance Institute on the same terms.

62. At five per cent. interest and one and a half per cent. sinking fund?—Yes; and both principal and interest to be paid off in thirty years.

63. Have they borrowed any further sum?—On the 1st September, 1873, they borrowed a further sum of £3,000 from the United Kingdom Temperance and General Provident Institute.

64. Is that also borrowed on the same terms?—Yes; the payment was to extend over the same period.

65. Upon what security was it borrowed?—Upon the same security; the Newry town rate, and the rates, rents, and profits under the Act.

66. Had any portion of the second sum of £15,000 been paid off at the time they borrowed the £3,000?—Well, a little, but not much. The first £15,000 was borrowed on the 24th of March, 1872, and the first repayment was made in September of the same year, and also another repayment. The two would amount to £225 1s. 1d.—this is on the first £15,000.

67. Had any payment been made for the second £15,000?—The second was borrowed on the 3rd June, 1872. There would be two payments made on it which would be about £225 7s. 3d.

68. So that those two sums of £15,000 would be reduced by something like £450?—Yes, reduced by that much before the £5,000 was borrowed.

69. How did the Commissioners intend to borrow £5,000 on the 1st September, 1873, when their borrowing power under the Act of 1871 were limited to £37,000?—No; they had power to borrow £42,000 including the £5,000 borrowed for Halliwell's waterworks.

70. Up to the 1st September, 1873, they exercised those powers to the extent of borrowing £38,000. Did they borrow any more after that date?—Yes; on the 4th May, 1874, they borrowed £4,000.

71. From whom?—From the United Kingdom Temperance and General Provident Institute.

72. At what rate?—The same rate—five per cent. interest and one and a half sinking fund.

73. Was that also borrowed upon the same security?—Yes; upon the same security.

74. They then reached the limit of their borrowing power?—Yes; that £4,000 exhausted their borrowing power.

75. Have they incurred any capital debt beyond that?—They borrowed no money beyond that.

76. Some portion of the capital debt has been repaid?—Yes.

77. What was the amount due on the capital debts on the 14th February, 1877?—£38,274 18s. 7d.

78. How is the payment made—in it by sinking fund?—Yes; with the interest up to the 31st December, 1876, there was £1,096 15s. 10d. of the first £15,000 repaid.

79. Up to the present time does the £38,274 18s. 7d. represent the entire amount of capital debt charged upon the town-rate and the water-rate?—Yes.

80. With respect to the £42,000 that the Town Commissioners borrowed, they applied £4,108 18s. 1d. in paying off Halliwell's trustees and costs connected with the purchase from them?—Yes.

81. How much was employed in the purchase of ground for the public markets?—I cannot give you that amount separate.

82. Can you give me the whole amount that was applied for the purpose of acquiring ground and erecting the necessary buildings for the markets?—I have

the amount in globe. I cannot give it to you separately.

83. Of the moneys that you borrowed, amounting altogether to £42,000, was there any portion applied in paying the cost of obtaining the Act of 1871?—There was.

84. How much?—The Act cost nearly £8,000. The Town Commissioners' proportion of that was £4,220 18s. 11d., besides which they had to pay costs of the arbitration before Mr. Hancock amounting to £1,291 12s. 11d., making in all for the cost of the Act £5,494 10s. 10d.

85. Were there any petitioners against the bill?—Yes; about thirty or thirty-five.

86. Did the Grand Jury of the county Down petition against it?—Yes.

87. And the Grand Jury of Armagh?—Yes.

88. Did the Newry Navigation Company petition against it?—Yes; they appeared to petition against the bill, but there was no very serious opposition on their part. They were opponents of the bill till it left the committee.

89. I see that by the 116th section the cost of obtaining the Act was distributed amongst certain bodies?—Yes.

90. How much did the Municipal Commissioners of Newry pay at that portion?—£4,220 18s. 11d. The proportions of costs of this bill to be borne by the different parties were settled by the award of Mr. Hancock of Lurgan, and this is the award he made. (Hands in Mr. Hancock's award.) The costs were taxed in London.

91. How was the proportions by which they were to be borne by the different parties ascertained? Was it by the arbitration of Mr. Hancock?—Yes; that was what he took up.

92. What markets did the Town Commissioners of Newry purchase under the powers of that Act?—They purchased the Butter-croze Market—an old market that was in existence before the Commissioners took up the market business.

93. Who were the owners to that market?—The trustees of the late Earl of Kilmorey.

94. Is that market used by them as a butter market?—It is used for the sale of Irish butter and fat, lamp butter and eggs.

95. Subject to what rent or what conditions did they purchase this market?—They purchased in fee under the powers of the Act.

96. Did the Commissioners by that purchase acquire the right to receive all tolls and dues, and payment with respect to the market?—There were no tolls from the market at the time of the purchase. It was managed by the trustees of Lord Kilmorey. The people used it or not as they pleased.

97. Do the Municipal Commissioners charge any dues?—Yes; they charge under the Act of 1871 tolls for weighing.

98. Did they purchase any other markets?—There were no other markets in existence at that time but the one. The rest of the markets were all created. The Town Commissioners purchased ground and premises in different places of the town, and constructed public markets and market places. The Town Commissioners have constructed, and have opened for public use five public markets in which all markets and fairs are held.

99. Did the Town Commissioners purchase any other ground or premises in the town?—Yes; for making street improvements, making a new street, and building a bridge.

100. What portion of the £42,000 borrowed by the Town Commissioners was expended in the purchase and erection of the markets?—I can give you a return of the gross amounts expended by the Commissioners for the purchase of markets and grounds, and premises for the purpose of markets and for making street improvements; and also the gross amount expended in building the markets, and making them fit for public use, and in making the street improvements I have mentioned. I have prepared a paper showing, in general terms, the

NEWRY.
March 4, 1875.
Mr. Robert M.
Deborah.

NEWRY.
March 5, 1877.
Mr. Robert H.
Doherty.

made in which the £42,000 were applied. (Hans in documents—Appendix). I can, if it is necessary, get all the details from the books.

101. How much was expended for the purchase and erection of the markets?—It is all stated in this document handed to—£3,053 were applied for the purchase of the butter-crens. The ground for the Northam-street markets, east and west, cost £1,723 5s. 9d. The ground for the May-street markets, south and north, cost £2,015 8s., and £1,512 3s. 1d. was applied for the purchase of ground for town improvements, and £2,085 7s. 6d. were paid to contractors for construction of the markets, and for town improvements.

102. What besides the markets and waterworks were the town improvements made by the Town Commissioners by means of any portion of the £42,000?—There was a number of houses purchased, and a street opened up, and a bridge built, and some old lands were taken up, and a street widened. The gross cost of that was about £2,928 18s. 8d.

103. Including law costs and sundries?—Yes.

104. Is there a fire brigade in Newry?—There is.

105. And a fire brigade station?—Yes.

106. Was it built by the Commissioners?—There was a lease taken of the present premises occupied by the Commissioners. On the place devoted to the fire brigade a new roof was put on, and a residence for the caretaker supplied.

107. Was any money expended on that?—Yes, about £100.

108. Was the entire property which was purchased by the Town Commissioners for market purposes used by them for that purpose, or was there any portion of the ground sold by the Commissioners as surplus ground?—There was £2,173 15s. 4d. worth of property sold for building purposes.

109. Is the purchase-money received for these grounds debited in the account of the Commissioners?—Yes, and credited on property.

110. You have now mentioned about expending on the purchase of property, erection of markets, and improvements of the town £12,454. How have the Commissioners applied the residue of the £42,000 borrowed?—There was £4,108 19s. 6d. for Hollowell's waterworks, which included the costs of arbitration and mortgages, and some other law costs—£12,600 were paid to the trustees of the Carradough waterworks.

111. Was that under the Act of 1871?—Yes. We paid Mr. Alexander Boyd for promoting the bill on behalf of the Commissioners £1,335 4s. 5d.

112. Was that £1,335 4s. 5d., portion of the £4,320 16s. 4d. you mentioned as the portion paid by the Commissioners?—Yes. The gross costs charged to the Commissioners was £5,512 6s. 9d., inasmuch as we had to pay the solicitors of the owners of this land, and the proprietors that went before the arbitrators for their costs.

113. The solicitors of all the owners?—The solicitors, for instance, of the trustees and of the tenants who appeared before the arbitrator. They were obliged to pay their costs in addition to the £4,320 that Mr. Hanscock awarded.

114. How much was expended with regard to the costs of that bill?—Including Mr. Hanscock's award, the gross amount was £5,512 6s. 9d.

115. Have you got a copy of Mr. Hanscock's award?—I have a minute of it.

116. What other expenditure did the Commissioners make?—They had a further expenditure of £3,517 7s. 6d. for works for the distribution of the water supply throughout the whole township—for water-pipes, valves, and fittings.

117. Does that exhaust the entire amount they had borrowed?—Yes; that should exhaust the entire amount; in fact it exceeds the entire amount by £132 6s. 10d. The total amount spent was £42,152.

118. Do the sums you have mentioned represent the entire amount expended upon the markets and waterworks?—No; because £2,173 15s. 4d., the pro-

duce of the sale of surplus lands and property, were also expended upon the markets, town improvements, and waterworks.

119. What rates do the Commissioners levy?—3s. in the pound for town rate, and they have 1s. in the pound for a water rate, and the rate on waste land is only one-fourth of those—which would be 3d. for the town rate and 3d. for the water rate.

120. Do they levy the 3s. rate under the powers of the Act of 1871?—Yes.

121. Under what Act do they levy the water rate of 1d. 1—Under the same power—by it and the original Act of 1854.

122. I find here by the 52nd sec. of the Act of 1871, that they levy a rate to be called the "Newry water rate," not to exceed 3d. in the pound in any year. Then, in case the produce of the rate in any year should not be sufficient for the purposes to which it is applicable, they may make a further levy of 9d. on all property rateable in Newry, except steam and mills separately valued as such; and if that is not sufficient, they may levy that 9d. rate on the steam and mills?—Yes; the 1s. water rate is put on the domestic supply, and we were obliged to put 6d. on the mills.

123. Is that 1s. rate levied under the provisions of the Act of 1871?—Yes; under the Act of 1871.

124. Can you show me any minute or resolution of the Commissioners authorizing the levy of the 9d. rate?—(Minute of 6th September, 1875, produced.)

125. I find that a rate of 1s. in the pound is levied on all property except mills and steam—that is 3d. and 9d.—under the 52nd sec. of the Act, and then they levy 6d. on the mills and steam?—Yes.

126. That is an additional rate of 3d. on the steam and mills?—Yes.

127. And the other is a special rate?—Yes.

128. Have they levied a town rate of 3d. since the passing of the Act?—Yes.

129. Upon what rateable property is that town rate of 3d. levied?—Upon all property in the town except railways, canals, and lands.

130. How much does that come to?—Properly valued at £27,658 2s. is rated at 3d. in the pound—£833 is rated at 9d., which embraces all the railways, gardens, and meadows.

131. Is the water rate struck at the same time as the town rate, in October in each year?—Yes.

132. What was the amount of the town rate in October, 1875?—The gross town rate was £4,155 11s. 4d., and the gross water rate £1,260 5s. 2d., making together, £5,415 10s. 6d.

133. What was the amount of the two rates—town rate and water-rate—struck in October, 1876?—£5,451 18s.

134. That exceeds the amount of the preceding year by £28 7s. 6d. How is that?—We have had a good deal of improvement in the town; there has been more property rated. I should remark that on the 1st January the arrears of the rate is taken into this year; there is a portion of that rate included in 1875; the arrears were only £4,040 2s. 11d.

135. On the 1st January, 1876, the arrears of the town rate were £4,040 2s. 11d.?—Yes; there was collected and lodged between the 1st October and the 31st December the difference between £4,040 and £4,168 10s. 3d.—the town rate struck in October, 1875.

136. I understand how that is. Your rate being struck in October, and your financial year ending on 31st December, leaves but very little time for the collection of the new rate?—Yes.

137. I find that for the year ending 31st December, 1876, arrears of both rates amounting to £134 11s. 11d., are in the account audited by Mr. Collet in the 14th February, 1877, described as irrecoverable?—Yes.

138. How are rates declared irrecoverable? Is the matter brought before the Commissioners?—It is brought before the finance committee; they go through the sheets of the collection item by item, and see that the collector has exercised due care.

139. Upon what grounds are those rates declared

irrecoverable?—On account of vacant property—property not occupied by anyone.

140. Besides the rates you have already mentioned, do the Commissioners levy any other—a sewer rate for instance?—No; we never had any district sewer rate in Newry.

141. Do they levy any rates under the Sanitary Act?—No; they do not.

142. Nor any sanitary rate?—No; there is no public cemetery.

143. By whom are the rates collected here?—By a collector named McCormack.

144. Does he collect the town rate and the water rate?—Yes; they are both collected at the one time.

145. Is he appointed annually?—No; he has held his appointment for a number of years.

146. Is a new appointment made every year?—No; there is no new appointment made every year, but a new warrant is made out and signed every year.

147. Does the collector give security?—He does.

148. In what form?—By a joint and several bond for £500 principal, with two sureties. The bond is in my office.

149. Are the sureties living?—They are both living.

150. Does Mr. Collett require to see the collector's bond when he comes round?—He does.

151. Who is your treasurer?—The Northern Banking Company.

152. How often has your collector to lodge his cash?—Weekly.

153. Is there a by-law to the effect that he must lodge every week?—Yes.

154. Is it the rule that he is to lodge in the bank when he has a certain amount of money in his hands?—He must lodge every week no matter what the amount is.

155. Is that rule complied with by your collector?—It is.

156. How do the Commissioners ascertain that it is complied with? Do they require the bank-book to be produced before the finance committee?—Once a month they have it brought up.

157. How often does the finance committee meet?—The finance committee meets every Monday.

158. Do they examine the bank-book once a month to see if that rule has been complied with?—They do not examine it once a month. A financial statement is laid before them on the first Monday of each month.

159. By whom is that financial statement prepared?—By me as town clerk.

160. Have you got the last financial statement? I wish to see the form of it?—Yes. (Form of financial statement produced.)

161. This abstract sheet was passed and signed by Mr. Collett?—Yes.

162. Will you now look to the receipt side of the abstract sheet for the year 1876 (Appendix No. 14, p. 363)?—Yes.

163. Are all the receipts of every kind of the Municipal Commissioners of Newry, as such, for the year 1876, included in that list of receipts?—All.

164. From every source?—Yes.

165. Are they entitled to receive any income from any other source?—I mean as Municipal Commissioners?—No; from no other source.

166. Does that include the balance in their favour at the close of the last year's account?—Yes; it includes the not balance.

167. Which last year was £371 6s. 8½d.?—Yes.

168. It also includes the balance to the credit of property account?—Yes.

169. Which amounted to £460 12s. 6d.?—Yes.

170. The sum mentioned with respect to rates for the year 1875-76 is £2,940 8s. 4d. Does that sum represent the actual receipts with respect to the town rate and the water rate?—No; it only represents the actual receipts of town rate, and which have been lodged to the credit of the Town Commissioners.

171. Are the actual receipts of the Commissioners

on account of the water rate included in the receipt side of the waterworks account?—They are.

172. Both the receipts on account of sewers and what may be called the current rate?—Yes.

173. I perceive the receipts on the receipt side of the account comprise the receipts from various sources, such as fines, licences, &c.?—Yes.

174. I see an item of £55 received from manure sold?—Yes.

175. How is the manure sold?—It is sold by the inspector who makes it up.

176. Is it the manure collected by the street scavengers?—Yes.

177. Is it sold by public auction?—We never could manage to sell it by auction. We tried it on two occasions, but could not manage it. It is sold to farmers, as we can get buyers for it.

178. Is there a place of deposit for it in the town?—There is, but we do not deposit more than one-third of the stuff off the streets in manure. We use part of it for the purpose of filling places where the ground requires to be made up. Anything worth being preserved as manure we send to the depot.

179. Who gives the Commissioners the account of the manure sold?—The town inspector.

180. What other officers have the Commissioners besides the town inspector?—Their officers consist of the town clerk (myself), an assistant in the office, the rate collector, two town inspectors (who are also sub-sanitary officers), a staff of clerks who conduct the business in the public markets, and the engineer.

181. What is your salary as town clerk?—£175 a year.

182. Was that the salary you were originally paid?—No; the original salary was £90 a year.

183. When?—In the year 1868.

184. When was the last increase made to your salary?—About 1873; the time that the markets under this bill commenced operations.

185. You say you have an assistant in your office?—Yes.

186. What salary does he receive?—He received £70 a year up to the 31st December, 1863.

187. Was there any increase of salary given to him then?—Yes; an increase of £10 a year.

188. What other officers have you?—The town surveyor and the solicitor.

189. Is the engineer a professional engineer?—Yes.

190. What is his name?—Mr. J. L. Deremiah Meenan.

191. What is he paid?—£80 a year.

192. What are his duties as town surveyor?—He has charge of the waterworks, the street drainage, general surface repairs of the street, repairs of the footpaths, market repairs, and the general superintendence of all the works of the Commissioners.

193. Has he anything to do with the superintendence of the scavenging?—No.

194. What other officers are there?—There are two inspectors—the town inspector and the assistant inspector.

195. Are they under the town surveyor?—No; they are directly under the Commissioners. Of course they may be under the town surveyor as well.

196. What are their salaries?—One has £7s. a week, and the other 15s.

197. What are their duties?—They have all the street duties—the inspection under the sanitary Act.

198. Are they also sub-sanitary officers?—Yes; they are. One has £10 8s. a year and the other £5 4s. as sanitary officers.

199. What other people have the Commissioners employed?—They have a water inspector who looks after turning on the different supply cocks, and putting the water into private houses.

200. Are these waterworks under the control of the Commissioners, or the control of the trustees?—They are entirely under the control of the Commissioners within the township; from Camlough Lake to the municipal boundary they are under the control of the trustees.

201. I find by the Act that the outlet of the water from the lake is to be under the control of the

Witness.
March 8, 1877.
Mr. Robert H.
Colclough.

Witness.
March 5, 1878.
Mr. Robert H.
Deasy.

trustees?—It is; except under circumstances, such, for instance, as our not getting a proper supply. If that happened we could go in and take possession. We have a number of officials connected with the markets.

202. By whom is the scavenging of the town done?—By men who are employed by the Commissioners daily or weekly.

203. Who employs them?—The town inspector.

204. Are they employed by the day or by the week?—That is just as they are required. Some are employed by the day, and some by the week. We have two horses and implements for scraping and sweeping the streets.

205. At what rate of wages are those men paid?—They are paid 16s. a week, or 1s. 8d. a day.

206. Is the amount of their wages at the discretion of the town inspector?—No; it is in the hands of the finance committee. We have three surface men for looking after the repairs of the streets, who are paid 13s. a week.

207. Are they employed all they year round?—They are employed the entire year. We also have two carters.

208. Have you horses?—Yes; two horses and carts. We have also a scavenging machine.

209. Are those all the people employed by the Commissioners?—Those are all. The carters' wages are 13s. and 12s. per week respectively. I mean the men in charge of the horses.

210. I find here in the account and for the year ending 31st December, 1876, that the amount of income from the markets was £2,400 10s. 7d. i—Yes; that was the gross income.

211. On the other side you take credit for expenditure on the markets amounting to £1,923 14s. 5d.; that leaves a balance on the market account of £476 16s. 2d. to credit?—Yes.

212. What are the nature of the receipts from the markets?—The weighing of grain realized a large sum.

213. What are the nature of the receipts?—Principally tolls for weighing. There is no toll except for weighing.

214. Is that weighing charge fixed by the schedule of the Act of 1871?—Yes; it is fixed by the schedule of the Act.

215. What other charges are there in the markets?—That is the principal charge—for weighing and for the use of the market in some instances.

216. Is there any charge for the use of the market besides that for the use of stalls?—Yes, there is.

217. Is it for the use of the ground space?—The tolls are merely nominal. The principal charge on the grain is a weighing toll, that on the grass seed is a weighing toll, on the pork it is a weighing toll, and on the butter it is a weighing toll. On the flax it is a toll for the use of the market; the flax is made up in bundles weighing one stone each and is very seldom weighed in the market. We derive some income from the rents of stores in the old market—butter crane or flax market. The toll on the eggs is for bringing them into the market—i.e. is charged for every ten dozen brought in; on hay and straw it is a weighing toll. We have £12 6s. from Mary-street markets, north and south, for standing space for the dealers.

218. What market is that?—The hay and straw market. On potatoes it is a weighing toll, hides a toll for the space occupied in the market. The charge on live fowl is of the same nature.

219. Are there any tolls received from slaughter-houses?—No; there are no public slaughter-houses in the town. We have no slaughter-house toll, but the places of that kind are licensed under the Commissioners and constantly visited by the inspectors.

220. Are there fairs in the town?—Yes; we have a fair once a month. It is held on the first Monday of each month.

221. Is that fair held in the county Down side of the town?—No; in the Armagh side; it is known as Ballybet fair.

222. Are there any tolls charged for this fair?—Yes.

223. What are they for?—For passing in through the gate and using the ground.

224. Is it charged on all the cattle brought into the market, or only on the cattle sold?—The charge is made whether they are sold or not.

225. Are those receipts with respect to the fair included in your annual account, under the head of income from markets?—Yes.

226. By whom are these fair and market tolls received?—By me.

227. What staff have the Commissioners for working the markets?—We have five permanent clerks who are paid weekly salaries.

228. Are they employed all the year round?—Their duties are to attend in the markets, and weigh all the articles requiring to be weighed, to issue tickets to the sellers, collect the tolls and rates, and superintend the work of the other men employed in the markets—the men at the scales and the porters, and to keep their time, and make up their wages.

229. What are those clerks paid?—Five of them are paid £1 a week, and one of them 12s. a week.

230. To whom do they account for their receipts?—To me.

231. What check have you over them?—The tickets are all numbered consecutively the same as railway tickets, and we retain the book of the tickets issued.

232. Do they keep a book?—Yes; a book is kept, and a summary of the moneys received made out on Mondays, Wednesdays, and Fridays, and lodged on the Wednesday following in each week.

233. Is there any account between you and the market collector?—Yes; he brings over the account to me every second morning which I examine and sign.

234. When these collectors hand over the receipts to you is it your duty to lodge them in the bank?—Yes, once a week—on the following Wednesday.

235. The total amount produced?—Yes.

236. Whether large or small?—Yes.

237. Do you carry that out?—Yes; I have always done so.

238. Do you lodge to the credit of the Commissioners or to your own credit?—To the credit of the Commissioners.

239. In what Bank?—In the Northern Bank.

240. There is another important item of your receipts. Who collects the water rate?—The collector. They are collected by Mr. McDonnell, as well as the town rate. The money paid for the supply to the manufacturers is also collected by him.

241. Is your collector paid a salary or by a percentage?—He is paid 5d. in the pound.

242. Upon all the rates that he collects?—Yes; upon all the rates.

243. Is there any percentage paid with regard to the market receipts?—No.

244. I find with regard to the collection of the rates that in the account last audited by Mr. Collet he rather finds fault with the collection of this year, and says there is a heavier arrear now outstanding than at the close of the preceding year?—Yes; it is something about £200 more than last year.

245. And he recommends greater diligence in the collection of the rates?—He does.

246. Look to the expenditure side of the account for the year ending 31st December, 1876. Does that expenditure side of the abstract of the accounts represent all the expenditure of the Commissioners for the year ending December, 1876?—It does.

247. Including the expenditure on the waterworks?—That is the waterworks account also.

248. The first item of expenditure is £377 5s. for salaries and the collector's percentages?—Yes.

249. Does that include the salaries of all the officials of the Town Commissioners, except those employed in the markets?—Yes, and except weekly payments, such

as for scavenging, &c., which are charged further down in the account.

250. I see rent of house and borough court, £41 5s. 10d.; what is that?—The rent of the house occupied by the Commissioners, in which the office is; £4 a year, which is paid to the caretaker, and for the courtyards in which the weekly borough court is held.

251. Does it include anything besides the rent of those places?—Nothing but the 24 to the caretaker. The taxes, of course, are included in it.

252. Was it upon that house this £8 15s. 1d. was expended for repairs?—Yes.

253. Now is the item of £45 12s. under the head of the "Public Health Act salaries" made up?—It comprises the salaries of the executive sanitary officer, and the two sub-sanitary officers. One half of it is afterwards recouped by the Government.

254. The entire amount of the repayments on the other side appear to be only £51?—That is only for a portion of the year.

255. Under the head of "Cleansing" you have an expenditure of £342 18s. 1d.?—Yes.

256. Are all the streets of the town scavenged and cleaned?—Yes.

257. I mean the smaller streets—the narrow lanes and alleys, as well as the principal streets?—Yes, and flushed with water occasionally.

258. Are they watered?—Yes; watered with a hose.

259. Now is that £167 5s. 3d. under the head "Paving and flagging" expended?—The greater part of the first item of £67 5s. 9d. is wages for the two men who do all that work, and look after the town generally. The other item of £100 2s. 5d. was principally expended on laying new coverings, which were made during the year 1876—most of it was for the Armagh side of the town which was very much in want of it.

260. £144 1s. 1d. is charged under the head of drainage, and the first item of it is described as being expended on a sewer in Queen-street—the amount is £16 17s. 4d.?—Yes, £35 17s. 8d. was the whole cost of the sewer, and Mr. Quinn, the proprietor of property in the neighbourhood, paid the whole of that amount. We recouped him the half of it subsequently.

261. There was also a sewer in Ruddle-brook which cost £30 15s. 6d.?—Yes. Ruddle-brook is in Monaghan-row, and was reported by the sub-sanitary officer as being in a very bad condition, and the Commissioners were obliged to lay out that money to compel the parties to make the necessary improvements in that locality.

262. Do you mean that the Commissioners got the work done?—They made the sewer to carry away the drainage so as to be able to compel the parties to do their duty.

263. There was also £43 1s. expended on a sewer in Catherine-street?—We were recouped nearly the whole of that. It was from the model school, and they recouped us for the expenditure. I think we got £41; we got two-thirds of the cost from the Board of Works.

264. Where does it appear to be debited?—You will see on the other side of the account, "Board of Works towards sewer from model school, £34 4s."

265. Was £38 5s. 4d. expended for making a sewer in George's-lane?—George's-lane was also reported as being in a very bad sanitary state. Since the sewer was made the tenants and landlords have all drained into it, and I suppose that cost them somewhere about the same amount.

266. I find there is a charge of £435 1s. under the head of lighting; by whom is the town of Newry lighted, I mean at whose expense?—At the expense of the Town Commissioners.

267. Are there gasworks in the town?—Yes; the Newry Gas Consumers' Company have gasworks.

268. Have the Town Commissioners as such any property or interest in the gasworks?—They have not; the gasworks are the property of the Gas Company, which is a limited liability company.

269. Does that company supply the public lighting

by contract?—They do (hands in contract of gas company.)

270. What is the contract under which the town is lighted at present?—At present it is now £3 4s. 6d. per lamp for nine months. Before the present contract the price was £2 5s. per lamp for nine months.

271. Is the contract an annual one?—Yes. It is made generally every August or September.

272. Does that contract include the cost of keeping up the lamps?—Yes, and the cost of lighting and extinguishing.

273. What is that item of £4 2s. 9d. to Messrs. Lee and Company?—It is for a lamp put for the markets, which we substituted for one that was broken.

274. I find in the accounts that the Commissioners take credit for having expended £738 16s. on surface repairs?—Yes.

275. Does it seem for the repairs of the streets of the town?—Yes.

276. For keeping the streets in order?—Yes.

277. The streets of course are under the care of the Town Commissioners for all purposes now?—Yes, under that Act of 1871.

278. What is the meaning of the charge of £23 11s. 2d. for coals, oil, &c., for engines?—The stones for the streets are all broken by a steam-engine, and that expenditure is for keeping up steam for the purpose of driving it.

279. Have you got a fire brigade here?—Yes; it consists principally of men in the employment of the Town Commissioners, some private watchmen and others.

280. Have the Commissioners a fire engine?—We have one fire engine.

281. It would appear to me that upon so small a charge you could not support a regular fire brigade?—No; it is not a regular fire brigade; we have practice with the engine four times a year. We got £35 5s. 4d. from the fire insurance office last year.

282. Is the public water supply available now for the purpose of extinguishing fires?—Yes; in almost every part of the town it is available for the purpose of putting out fires.

283. Will you look at the item £290 0s. 11d. under the head, "County at large charges." The first item under that head is—"Paid Grand Jury, county Down, £435 18s. 1d.," that is for the county purposes?—It consists of two levies—at the July and March sessions.

284. Have you the warrants?—Yes; they were produced before Mr. Callan.

285. I see he found a slight mistake was made with regard to it?—Yes.

286. What are the charges for the county Down? Towards what is the contribution?—The bride-well, the court houses, the gaols, and the lunatic asylum.

287. I suppose the charges with respect to the county Armagh are of the same nature?—Yes; and we have to contribute to them under the Act of Parliament of 1871.

288. Is this item of £1,025 14s. 5d. under the head of markets, expended on the markets?—£919 18s. is entirely made up of the wages of the clerks of the markets, the porters and scullions, £34 1s. 9d. for rates and insurance on the markets, repairs, £30 4s. 11d., and books, printing, &c., £50 6s. 1d.

289. How is that sum of £1,417 18s. 6d., under the head of "Interest and instalments," made up? It is under the head of interest and instalments, and then it is described as "Markets and Town Improvements." Is it presented in detail to the borough auditor?—It is; but the £1,300 charged to the waterworks, and the £1,400 for general purposes should be reversed. There should only be £1,300 charged to general purposes.

290. That would make the balance on the waterworks different?—It would.

291. £85 1s. 11d. is charged for pipes and fittings; what is it made up of?—The cost of the extension of mains, and of putting in some additional fire-plugs.

Witness.
March 8, 1871.
Mr Robert H.
Baker.

292. 244 4s. 3d. is charged for law costs.—That was the costs paid to a solicitor in town for conducting the business with regard to some property belonging to Mr. Courtney.

293. What property was it?—Part of the property used for town improvements, and the charge is the costs of his solicitor in conducting the negotiations.

294. £468 13s. is charged as paid to Mr. Courtney for that property?—Yes; the title was not made out until recently, and the purchase money and costs were paid out of the rates.

295. With regard to the waterworks account, how are the charges for rents and special supply fixed? Is there any rental?—£340 5s. is debited here on that account.—There are meters on the greater portion of the property.

296. Are the rents annual rents?—They are taken quarterly. Some of them—a small portion—are made up by baths and water-closets. The railways are paying a fixed sum annually for the water used by them.

297. How do the Town Commissioners pay their solicitor—is it by costs or by salary?—By salary.

298. How much?—£100 a year.

299. Is he paid anything for expenditure besides that?—No, except money out of pocket and travelling expenses.

300. The £100 a year merely stands in the place of remunerative costs?—Yes.

301. I see that the balance to the credit of the Commissioners for last year was £855 7s. 5d.?—Yes.

302. That is after deducting the balance that is against the water account?—Yes.

303. Which for that year was £273 6s. 10d.?—Yes.

304. Were the details of these accounts submitted to Mr. Collet, the auditor?—Yes.

305. I find that in the Act of 1871—the *Newry Improvement and Water Act*—provision was made for the appointment of an auditor by the County Chairman here. How then is it that the accounts are audited by Mr. Collet, the Government auditor?—There was no such thing as a Government auditor at the time the Bill was introduced into Parliament. The gentleman who carried it through Parliament (Mr. Greer) is here, and he will correct me if I am wrong. The Government had brought in a Bill during the same session of Parliament about the appointment of auditor. Some difficulty as to how we should proceed arose, but at all events we fought for the power to appoint a public auditor, and we secured it by that Act; but the Local Government Board got an Act passed which compelled us to submit to their audit.

306. Was the last levy of county cess by the Grand Jury in the year 1870?—That was the last time they made a levy.

307. What was the last year for which county cess was levied in Newry for the counties of Armagh and Down respectively, and what were the amounts levied for those counties respectively by the Armagh Grand Jury?—The last year in which it was levied in both counties was 1870. In Armagh the levy for the spring of that year was 1s. in the pound, and for the summer 1½d. in the pound. In Down it was 8d. in the pound for the spring, and 10½d. in the pound for the summer.

308. Can you give me the gross amount of these levies—the amount they realized?—The amount raised in the town for baronial purposes in the year 1870 for the county Down was £295.

309. And how much for Armagh?—It was £508.

310. During that year (1870) did the Grand Jurors of Down or Armagh contribute anything to the expense of the town?—The return which I now hand to you and which was used as evidence before the committee of the House of Commons in 1871 shows that the county cess levied on the town for both counties in the year 1870 amounted to £1,463, of which £1,223 was applied for town purposes.

311. Are the Commissioners here the urban sanitary authority?—Yes.

312. What are the names of the sanitary officers?—There are two sanitary officers—Dr. McBride and Dr. Cronin.

313. Is there a consulting sanitary officer?—Yes; Dr. McBride was appointed consulting sanitary officer. He is paid by fees not by salary.

314. Are Dr. McBride and Dr. Cronin dispensary doctors?—Yes; one for each district.

315. For Armagh and Down?—Yes. A portion of the rural district is also in their jurisdiction; Dr. McBride is the officer for the Armagh side, and Dr. Cronin for the Down side.

316. Who is the executive sanitary officer?—I am the executive sanitary officer.

317. What is your salary as such?—£30 a year.

318. How many sub-sanitary officers are there?—There are two.

319. What are their names?—John Andrews and Edward McLarnan.

320. What are their salaries as sub-sanitary officers?—Andrews receives £10 8s. a year, and McLarnan £5 4s.

321. Do the officers mentioned comprise the entire sanitary staff of the Town Commissioners?—Yes; that is the whole of their staff.

322. Is there a sanitary committee in the Town Commissioners?—No, there is not. The whole body of Commissioners form a sanitary committee. They instruct in all cases of prosecution, and discharge the general duties of a sanitary committee.

323. Who makes the sanitary reports to the Commissioners?—The doctors—the sanitary officers.

324. Are those reports made in writing?—They are made in the first instance by the sub-sanitary officers to the sanitary officers, and the sanitary officers then report to the Town Commissioners.

325. Do the sub-sanitary officers report to the sanitary officers in writing?—Yes.

326. And do the sanitary officers report to the Commissioners in writing?—They do.

327. Have they a book, the block of which shows the reports made?—Yes.

328. What are your duties as executive sanitary officer? To put in force the orders and directions made by the Town Commissioners on such reports?—Yes.

329. Have you power to take action on the reports of the sanitary officers immediately, without waiting to bring the matter before the Commissioners?—Yes, previous to the intervention.

330. Had the Town Commissioners a sanitary staff under the Towns Improvement Act of 1854, before the passing of the Public Health Act of 1874?—Yes; and we were always very successful in getting things done, and we continue to serve notices for the abatement of nuisances, when it was not necessary to bring in the sanitary officer. Often we served 100 or 150 notices in a month. We only bring the sanitary officer in when it is necessary to put the law in motion to secure the abatement of a nuisance.

331. Do you continue the same practice after the passing of the Act of 1874 that you had been acting upon under the Act of 1854?—Yes; except that we took advantage of the increased powers granted by the legislature.

332. How often do the Commissioners meet to transact sanitary business. They do not, as I understand you to say, meet specially as a sanitary committee?—No; they meet on the first Monday of every month, and transact every sort of business, and there is a fortnightly meeting. They also generally meet every Monday, and say the doctor sends in an important report, it is acted on at once if there is a quorum present to take it up. (Hands in the sanitary report-book.)

333. Will you tell me how many reports were received by the Commissioners during the year ending December, 1870?—Dr. McBride reported on fifty-eight cases and Dr. Cronin on 110.

334. What was done upon these reports?—113

notices being all that it was required to serve were served by me as executive sanitary officer. 369 notices were served by the sub-sanitary officer.

333. Those were served by them independently of the executive sanitary officer?—Yes; they were served just at once. There were 718 cases dealt with in the year 1876 under the Sanitary Act.

334. I find on looking over the sanitary report book that for the year 1876 there is a very considerable number of reports and directions concerning nuisances, but I do not find that from 1877 there is any entry of what has been done upon the reports of the sanitary officers. I find in some cases directions for "notices to be served." What has been done in these cases?—Well, you know of late the weather has been very hot and not much could be done, but in these cases the sanitary officer is merely waiting to see the result of the first notices which were served.

335. I find from several notices here that the practice of keeping pigs in dwelling-houses exists?—When we find such cases we summon the parties at once.

336. I see a great number of such notices. For instance, here is one, "Pigs kept in a small house." Is it the practice to keep pigs in dwelling-houses?—Yes, it is, but we leave the people who do it to the borough court at once when we become aware of it. Some of the pig-houses are built so close to the dwelling-houses as to be very dangerous to the health of the people, though the pigs are not kept in the houses.

337. Do you, as the executive sanitary officer, find any difficulty in carrying out the sanitary improvements?—Generally speaking we have no difficulty in carrying them out in Newry. Sometimes people of filthy habits will throw obstacles in the way by not taking action, but the inhabitants generally try to assist us in carrying out the improvements.

340. Are you obliged to take proceedings often?—We have never been obliged to take an action.

341. Are the houses of the poorer class of people less properly supplied with such accommodations as privies, &c.?—I should say there are 400 or 500 houses in which there are no means of providing anything of that sort.

342. What do you mean by that?—In the case of close courts and lanes where the buildings are close to the roads of other houses.

343. That must be a very bad state of things. It must be very dangerous to health?—No doubt it is; but some of the places now occupied as dwelling-houses were not originally intended for such.

344. How do the people get rid of the refuse and soil of these houses?—There is generally one large place attached to the premises—a place which is used by all the people around.

345. How are these places cleaned out?—There is a regular inspection of them almost daily by the Town Commissioners' men.

346. How often are they cleaned out?—I should say there are some entries cleaned out every day, and in the summer time when the weather gets warm they are flushed every day from the pipes.

347. Are they inspected every day by the sub-sanitary officer?—They are inspected either by them or by some of the scavengers who are sent by him to the lanes and alleys for that purpose.

348. Do you find that difficulty in getting the landlords or owners of houses of that sort to make the improvements that may be necessary?—There is no doubt there is some difficulty sometimes. Some of them are so very poor that they cannot make the necessary improvements. We have at present an instance of this, in the case of a lady who is the owner of three houses, and her entire income is derived from these houses. The rent she receives from them is only about 7s. a week. She must make the improvements, and I do not know what will be the result in her case. It is only a case in point. There is a certain portion of the town which at one time was inhabited by a very respectable class of people; the houses there are now become large tenement houses, and it is very hard to keep them in a fair sanitary state.

349. Are those houses which you describe as having once been private houses, and now occupied as tenement houses in the same condition for want of sanitary accommodation?—Yes; they were originally intended for only one family, and the accommodation was only sufficient to meet the requirements of that family. Now there are, perhaps, six or seven families in each house, and of course the accommodation is altogether insufficient. The premises in the yards of these houses are now also let off and used as dwelling-houses, though never intended as such. The only reason why the Town Commissioners have not taken action with regard to these places is, that they cannot get other and better places for the people to live in. If these were cleared up the occupiers would have to go into the street.

350. Have the Commissioners ever attempted to enforce the making of the required accommodation in such places as those you refer to?—Yes, they have.

351. Have they got work done in the way of making privies or closets, and charged the people with the cost?—Yes, in such cases it is always done at the expense of the people themselves.

352. Have you any means of showing the amount of work of this kind done during last year?—I do not think there was anything in this way, except in repairs during last year.

353. You said you sometimes found difficulty in getting such work done, owing to the circumstances in life of the owners of such property—because of their inability to do it?—Yes.

354. Do you ever find any difficulty in getting proper sanitary improvements or repairs done in the case of owners of property who are members of the municipal body?—No; we never had any difficulty with any of them.

356. Have you ever had any occasion to take proceedings against, or to serve notice upon any owner of property who were members of the municipal body?—Well, I have no recollection of ever having done so. I never knew any instance in which work was required to be done by them in which they were not ready to do it. The Chairman of the Town Commissioners has a large acquaintance and connection with the property of Newry, both as agent and proprietor, and he was always ready to do whatever he was called upon to do.

356. I understood you to say that the water supply of Newry is now good and sufficient?—Yes.

357. Is it available for the purpose of cleaning out the poorer parts of the town?—Yes. The supply is, perhaps, the best in Ireland, and the pressure is unobscured.

358. Are the public sewers flushed at regular times?—Yes; the county Armagh is entirely connected with the canal. There are valves by means of which they can take the water from the canal, with the consent of the canal company, for the purpose of flushing the sewers. On the county Down side they take the water from the pipes if necessary.

359. With respect to the condition of the town as to drains and sewers, are there main drains in the streets generally?—For instance, in the principal street of the town is there a main sewer?—No; no main sewer. There are a lot of intercepting sewers.

360. Where do these intercepting sewers lead to?—Into the tidal river; and a portion of the sewage of the street runs into what is called the mill-race.

361. What is the mill-race?—A small river that passes through the town; it drives a mill.

362. Do you mean to say that the whole way down the principal street of the town there is no main sewer?—There is no main sewer.

363. How is the sewage carried away?—It is taken off in this way: some six or seven houses carry the sewage into one of the intercepting drains and bring it to the tide. Many of the others send it to the mill-race through the rear of the premises. The engineer has made a report upon the drainage of the town, and you would be able to get the information on this subject more satisfactorily by examining him.

364. Are there main sewers in the other streets of the town?—The Armagh side of the town is very well sewered, except one piece in Bridge-street, near the Newry and Greenock railway station. Some new

NAME.
March 5, 1877.
Mr. Robert H.
Dowry.

cottages were built there lately. The population of the neighbourhood has increased, and so the sewerage that was once sufficient for the requirements of that place is not large enough now; it has not sufficient capacity.

365. Has the town surveyor made a report upon that?—Yes.

366. Are the other parts of the town well sewered?—High-street is sewered, and so is part of North-street. Hyde Market would want a sewer, and William-street would also want one; there is none in it.

367. Have the Town Commissioners provided any disinfecting apparatus?—No, they have not.

368. Is there any means of removing persons suffering from any infectious disease to the hospital?—No; the guardians have, but we have not. I had a consultation within the past week with Dr. Cronin concerning the case of a man who insists on remaining in his own house though Dr. Cronin says he had every symptom of approaching fever, and that his illness arose from the condition of his dwelling. He had a wife and four or five children living all together in a room of small dimensions. The Act of Parliament gives us no power to interfere in cases where the house is only occupied by one family—it does not matter what the cubic contents of the room is. Dr. Cronin was doing his best to get this man to go into the workhouse, but he could not succeed in getting him to do so.

369. Now, with regard to the lodging-houses?—There is a registry of them.

370. Are they inspected?—Either one or other of the sub-sanitary officers inspects them once every month, and in addition to that there may be an inspection of them by the police. Under a recent Act the Comptrolleur have power to visit and inspect them.

371. Is it the duty of the sub-sanitary officer to report on the state of the lodging-houses to the Town Commissioners?—Yes; it is the duty of the sub-sanitary officer to do so. He inspects them once every month. Of course in the case of there being anything wrong he does so at once.

372. How many registered lodging-houses are there in the town?—I think there is about forty-six.

373. Are there any registered slaughter-houses in Newry?—Yes, there are. At present we are revising the licenses. I think there are about eight of them.

374. The slaughter-houses are not in connexion with the markets?—No; they are not. They are situated in various places through the town. They do

not belong to the Town Commissioners. The doctor says they are situated in a densely populated part of the town, and some of them ought to be done away with—ought to be removed. With the exception of one they are pretty well kept. They are kept in a very fair condition. This one is used by ten or twelve butchers, and it is almost impossible to keep it clean. The removal of the refuse from these places to the farms in the country is about the greatest nuisance we have. It is always removed from the slaughter-houses at night, and of course a portion of the soil drops upon the street, so that it is actually impossible to walk in the mornings in certain places in consequence of it.

375. Have you any public slaughter-houses in Newry?—I think we would have endeavoured to erect a public slaughter-house this summer but for the action of Mr. Collett, the solicitor. We would have gone in for a temporary lease by which we would have recovered the expense of the erection of the slaughter-house, but he would not allow us to do this and threatened to make a surcharge if we did so.

376. Are fairs held in the town?—Yes, there are.

377. Are they held in the streets?—No; they are not held in the streets. They are held in the enclosed market places. The sheep fair is in the market on one side of the road, and the horse fair is held in the grain market.

378. Are the fairs held in the county Armagh, or in the county Down?—The fair (there is only one), is held in the county Armagh. It is known as the Ballybet Fair.

379. Is it held in the street?—No; not now; it is in to which I refer. It is held in the enclosed market. Before the passing of the Act of 1871 it was held on the street. In fact all, or almost all the markets were held in the open street, but it is not so now.

380. Has there been any proposition about making a main sewer through the principal street of the town?—Hill-street?—Yes; there was a special committee appointed upon it at one time, who consulted with the engineers and discussed the subject. Mr. Meares made a report—a very extensive one—of which I can let you see a copy.

381. Have the Commissioners a day or night watch for the town?—No; the town is under the constabulary force. They are not paid by the Commissioners, and do not act as night watchmen.

March 7, 1877.

Dr. Andrew
McGill.

SECOND DAY.—MARCH 7, 1877.

Dr. ANDREW MCGILL examined.

382. Mr. LAWLESS.—Are you one of the sanitary officers?—Yes; I am the sanitary officer for No. 1 district.

383. Are you a dispensary doctor?—Yes.

384. How long have you been acting as sanitary officer?—For the past four years.

385. You were acting before the Act of 1874 was passed?—Yes; in fact I am acting since 1865.

386. Do you receive any salary as sanitary officer?—Yes.

387. From the Town Commissioners?—Yes.

388. How much?—£25 a year. That is for both the urban and rural districts.

389. Are there sub-sanitary officers acting under you?—Yes.

390. And an executive sanitary officer?—Yes.

391. Do the sub-sanitary officers report nuisances to you?—Yes.

392. And do you report to the Town Commissioners?—I do.

393. And then it is the duty of the executive sanitary officer to put into execution whatever is decided to be done?—Yes.

394. Is it the duty of the sub-sanitary officers to inspect yards and places requiring inspection in the town, and to give information to you as to their condition?—Yes, and they do so always.

395. Do you ever make reports directly, as the result of your own inspection?—Very seldom. I am glad to say that I have very little occasion to do so.

396. Do you find your reports acted on by the Commissioners?—Yes.

397. Promptly and completely?—They are.

398. I have been looking over the sanitary report-book of the Commissioners, and I find your reports relating to a great variety of subjects, such, for instance, as to the state of the houses, with regard to cleanliness, the existence or non-existence of petty accumulations, &c., and also the state of any cess-pools which require to be remedied. Do you know if, when you make reports, they are promptly acted upon?—The majority of them are. The people generally seem willing to do what they can.

399. What I mean is, are they acted upon by the Commissioners or their officers?—Yes, they are promptly attended to.

400. Are notices served upon the person in possession of the premises?—That is the way it is done.

401. Have you found, in your experience, that the people are willing and disposed to act promptly when these notices are served upon them?—Yes, as a rule they are.

402. Have you found it necessary from time to time to report the same places over and over again?

—Frequently; that arises from the people's own neglect.

403. Does it arise from the fact of your first report not being acted upon by the Town Commissioners or their officers, or from a repetition of the carelessness on the part of the people?—From the carelessness on the part of the people.

404. Have you ever had occasion to complain of the neglect of the officers of the Commissioners in not carrying out the suggestions that you made in your reports?—No, never.

405. Have you ever found any difficulty in getting your reports acted on by reason of the circumstances of the owners of property. For instance, in commencing structural improvements, such as the making of closets?—It is very seldom there is any objection to doing whatever is necessary. The majority act immediately on notice being served.

406. Have you ever had occasion to make any reports concerning houses that were the property of members of the body of Municipal Commissioners?—On one or two occasions, but there was no occasion to do so lately.

407. Were those reports of yours in relation to property of members of the municipal body acted upon, or not?—They were.

408. Were they acted on to your satisfaction?—They were.

409. What sort of accommodation does there exist here for people of the poorer class. I mean in the way of closets, privies, sculleries and cesspools?—In proportion to the number of houses I would say it is as fair as you could possibly expect. There are of course still some places that require some extra improvements.

410. Is it the case that as was mentioned here on Monday by Mr. Doherty, there were many houses which were formerly occupied by gentry, and are now turned into tenement houses—perhaps three or four families occupying one of them—and that in those houses the accommodation is very bad?—I am aware of that, but it does not exist in my district so much as in the other. Since the districts were divided I do not know so much about the county Down. My district is in the Armagh side, the other is in the county Down.

411. Is it the case that as was also stated by Mr. Doherty on Monday, there were at least 400 or 500 houses in the town without the means (you will observe he says "without the means"), of providing the necessary accommodation?—Oh yes.

412. According to your knowledge of the town—and I suppose you have an extensive knowledge of it—would it be possible to remedy this state of things otherwise than by the complete demolition of these houses and buildings?—There are several houses in which I do not know how the state of things could be remedied without reconstruction, but I believe that in the majority of cases the defects could be remedied.

413. Have you in the discharge of your duty as a sanitary officer ever reported to the Town Commissioners the necessity of building privies and water-closets in the houses for the use of the people?—In one locality I have.

414. What locality is that?—A place called Jordan's-court in Ballybot, which was built altogether against the wish of the Commissioners.

415. When was it built?—In 1865. There is a particular want of accommodation in that place.

416. Are there many people living in it?—I should say there are about twelve houses in it.

417. Is there more than one family living in it?—Yes; there are about twelve houses there.

418. You say you reported the necessity of doing certain work in that place?—Yes; so far as the Commissioners are concerned they carried it out as far as they could. Every arrangement was made that possibly could be made.

419. Were there any actual works done; for instance, did you recommend the building of privies?—In this case I did.

420. Was that done by the Commissioners?—The

place was ordered to be cleared out. So far as I recollect the Commissioners were anxious to get the place closed up altogether.

421. Was the work you recommended actually done?—It was.

422. You say the Commissioners were anxious to close up the place altogether?—So far as I recollect they were.

423. Were those houses unfit for human habitation?—There was disease constantly in that locality. It was very seldom free from it.

424. Was that, in your opinion as a medical man, caused by too many people occupying the same house?—Yes; and by the want of proper accommodation. They were too low to have any proper drainage. They were badly situated, and in fact should never have been built in that place.

425. Can you state what, in your opinion, was the number of cubic feet of air available for the people living there, something very small I suppose?—Yes.

426. You say there was a great deal of illness caused there by the want of proper accommodation?—Yes; and the houses were inhabited by a class of people of not very cleanly habits.

427. People of the laboring class I suppose?—Yes; very poor people indeed.

428. How long is it since you first reported the condition of that locality to the Commissioners?—I think it was in the year 1866 or 1868; I am not sure which.

429. Have you got your report with you, or the substance of it?—I have not.

430. Did you report it then to the Commissioners as being in the state which you describe now?—I did. I feel that in 1869 I reported with reference to Jordan's-court in Ballybot.

431. You have your report there?—Yes.

432. Will you let me see it? (Hands report book.)

433. I see by this, that this is not the first report you made of the place?—Yes.

434. Because you say in it, "it is your duty to again call attention to Jordan's-court, Ballybot"?—Yes.

435. And you also say in your report, "For so far no action has been taken with regard to it, and the beggarly and emaciated appearance of the children and adults too truly exemplify the evil effects of sanitary negligence. Every week, almost every day, some one is stricken with illness in this locality, and it is imperative that something should be done before the sultry season sets in."—The place has changed hands since that time, and has passed to a new owner and some improvements have been made.

436. Who became the owner of it then?—I think Mr. Carville.

437. Since that report of yours on the 15th May, 1869, has anything been done by the owner to improve the condition of this place?—No; except as far as regards the drainage. There has been drainage made since then. Part of the drainage was made by the Commissioners' directions.

438. You say that nothing was done by the owner to improve the condition of it?—No.

439. Has anything been done by the Town Commissioners since then to improve the condition of Jordan's-court?—I believe there has.

440. You believe so?—Yes.

441. When did you inspect or examine Jordan's-court since you made the report in May, 1869?—Well, I have not been there during the last six months. I have not had occasion to go there.

442. It is within your district, is it not?—Yes.

443. In number 1 district?—Yes; I think there are a number of the houses at present unoccupied, and it is just as well they are so.

444. Can you say whether anything has been done to improve the condition of the locality by the Town Commissioners?—Certainly, there has.

445. In what way?—By improving the drainage. The sub-sanitary officer looks after the place.

446. But I mean material or substantial work. Has anything in that way been done?—I understand there has.

Newsp.
March 7, 1871.
Dr. Andrew
McTear.

NEWRY.
March 5, 1891.
Dr Andrew
McElduff.

447. You do not know of anything of your own knowledge?—No; I do not.

448. Do you know whether the place has been looked after by the sub-sanitary officer?—Yes, it is constantly looked after. This place where the houses were built is merely an entry. Houses should never have been built there at all. The fact is, you could not improve them. You could not make them healthy, no matter what you would do.

449. Are they just as bad now as when you made your report in 1869?—They are not so bad now as they were at that time. The sub-sanitary officer looks after them frequently, in fact does so every week.

450. Is it your opinion that it is a matter of impossibility to improve the place, so as to make it fit for human habitation?—I believe it is; in fact they are mere shells of houses.

451. Are they one or two story houses?—One story houses.

452. When did you last make any report about this place to the Commissioners?—Not since 1869. As far as I recollect I did not make any report of it since 1868.

453. You say in your report of 1869 that some one is stricken with illness in the locality every day, and that it is imperative something should be done before the summer. Does not your duty as medical officer require you to visit that locality?—Some years I was there about every second day. Unfortunately, a bad type of fever got into the place, and continued there for a long time. Some of the houses were closed up.

454. Fever and other infectious disease remains there a long time?—If it is in the town at all it is sure to be there.

455. How many people are living in the place altogether?—At present I could not exactly say. At that time there could not be less than thirty, and perhaps there were more.

456. I think you say there are not so many now?—Not so many now.

457. I find you make a very good suggestion in the report of 1869. You say, "In the same neighbourhood—convenient to Mr. Lupton's mill—there are about twenty new houses being built, and I would suggest, to save the owner future trouble, and perhaps expense, that proper arrangements for sewage and water-closets should now be made. While thus particularizing, I intend this suggestion should be of general application in reference to all new buildings." With reference to the twenty houses there referred to, was your suggestion attended to? Do you know the condition of these houses now?—These houses are now known as Wilson's houses, and so far as their sanitary condition is concerned, I think there is quite sufficient accommodation for them. There are privies for each of them.

458. I suppose you very frequently find it necessary to order houses to be disinfected after illness?—Frequently.

459. Do you find it to be particularly necessary with regard to this place called Jordan's-court?—Yes.

460. Were your suggestions always acted on?—Yes.

461. Whose duty is it to see that houses are disinfected after illness?—It is the duty of the sub-sanitary officer.

462. Of the executive sanitary officer?—It is generally reported to the executive sanitary officer, but in fact when the case requires it I do not delay action on any account. I tell the sub-sanitary officer to go and get a thing done at once. Since the town of Newry came under the Towns Improvement Act there has been a great improvement in its sanitary condition. In 1864, a year previous to my appointment as sanitary officer, we had 328 fever patients in Newry, and in 1865 we had 192; in 1866, 115 patients; in 1867 we had 60, and in 1868 we had 48. I believe, as far as I know, that that number is not now increasing. In 1872, when small-pox was prevalent in nearly all the large towns, such as Belfast, Dundalk, and others, we were nearly free from it. We had only twenty cases. Newry is wonderfully free from disease.

463. Do you believe the decrease of fever is owing to the improved sanitary regulations?—I certainly do.

464. Have the Town Commissioners have any disinfecting apparatus?—I think not.

465. Then you have no means of disinfecting houses after infectious disease, unless by using lime-wash?—By fumigating.

466. Have they any means of removing persons suffering from infectious disease from their houses to the hospital?—Yes.

467. Do you find any difficulty in causing that to be done—any objection on the part of the people?—Very often there is.

468. It is very often necessary to remove them to the hospital, I presume, in order to prevent the spread of disease?—It is. I always endeavour to have them removed, particularly where there are large families living in close houses.

469. Where are the hospitals available for these cases?—We have an hospital here for the treatment of any disease.

470. How many hospitals are there in Newry?—There are two, the fever hospital, and the union hospital and infirmary.

471. Are there any common lodging-houses—registered lodging-houses—in your district?—Comparatively few.

472. But there are some?—Yes; there are some. There are a great many more in the county Down side.

473. I am speaking of your side—the county Armagh side. Do you, in the discharge of your duty, visit these lodging-houses? Have you occasion to inspect them?—I do frequently.

474. In what state are they generally?—As well as you could expect. The sub-sanitary officer is very particular in having things done.

475. What do you mean by "as well as you could expect"? I suppose they are looked after?—Yes; they are looked after, and are whitewashed frequently.

476. Kept clean?—Yes.

477. Is there in each of these lodging-houses, according to your knowledge and to your opinion, sufficient accommodation for all the inmates?—In my district I believe there is.

478. I am speaking only of your district. You think there is sufficient accommodation?—Yes.

479. Have you ever known sickness of any kind to break out in these lodging-houses, owing, in your opinion, to the want of accommodation?—As a rule, it is brought by persons coming from a distance—by infection.

480. Are there any measures taken when infectious disease appears in lodging-houses to cause the other lodgers to leave the house?—Yes.

481. By whom are those measures taken?—By the owners of the lodging-houses.

482. But, supposing these owners prefer to make money by the lodgers at the risk of their lives, do the Town Commissioners interfere?—I have never had occasion to ask the Commissioners to interfere in any case of that kind.

483. In your opinion have the sanitary laws been fairly worked by the body of Commissioners?—Most satisfactorily in every way that I know of.

484. I suppose they still require to be closely attended to?—Yes.

485. And a good deal must be done yet before they are all right?—Yes. You could not expect anything else. You see the population of Newry is increasing. They have no reason to complain of the sub-sanitary officers. They appear to do their duty remarkably well, and are very attentive.

486. Is the sewage of Newry, generally speaking, sufficient?—I believe there was as much done in this way for the time as there possibly could be.

487. Are you aware that there was a proposal to improve and extend the existing system of sewage?—Yes, I am.

488. Is the public water supply sufficient for the requirements of the town?—Yes, it is quite sufficient.

Mr. THOMAS CAREY examined.

NEWRY
March 7, 1875.
Mr. Thomas
Carey.

438. Mr. LAWLESS.—Are you solicitor for the Town Commissioners of Newry?—I am.

439. Did you on a recent occasion, on their behalf, apply to the Commissioners of Public Works for a loan on the security of the rates?—I did.

440. When did you make that application?—In July, 1875.

441. For what amount did you apply?—I think it was £27,000.

442. Upon what security?—On the security of the Newry town rate and Newry water-rate.

443. Was there any rate of interest mentioned?—We wanted to borrow this sum at a lower rate of interest than we were paying on the outstanding mortgage.

444. For what purpose did you want to borrow that £27,000?—To pay off an existing mortgage, or portion of an existing mortgage; and the reason we asked for £27,000 was because the entire or nearly entire of that was expended for sanitary purposes, such as procuring the present splendid water supply and making sewers and drainage.

445. Did you receive an answer from the Commissioners of Public Works?—Yes, an answer refusing to give the loan.

446. Did you communicate to them or their advisers the purpose for which you required the loan?—I communicated with Mr. Banks, secretary of the Local Government Board, and subsequently with Mr. McClinch, solicitor to the Commissioners of Public Works.

447. Did you obtain the approval of the Local Government Board to your obtaining this loan?—We did.

448. Because it is necessary to get that before the Public Works Commissioners would give it?—Yes.

I hold in my hand a case which I submitted to Mr. Hugh Low, in which is set forth the steps taken by me. Mr. McClinch, on behalf of the Commissioners of Public Works, submitted it to the law officers of the Crown, and they were of opinion (I hold a copy of that opinion in my hand) that the Commissioners had not, under the 37 and 38 Vic., cap. 93, sec. 43, power to make a loan for the purpose of paying off an existing mortgage.

449. If the Town Commissioners had got that loan of £27,000, and applied it to the part payment of existing mortgages, which they were paying off by instalments at the rate of six and a-half per cent., would there have been any and what saving accomplished by it?—As I calculate, there would be a saving of about £170 a year.

450. Would that £170 be then available for the improvement of the town?—I should say so.

451. Was there any other attempt made to get the money from the Commissioners of Public Works?—No, not that I am aware of.

452. Have the Town Commissioners any authorised borrowing powers now?—No; their entire borrowing powers are exhausted now. Under the Act of Parliament we had power to borrow £42,000, and we borrowed to the full extent of our powers.

453. Have they power to levy a district sewer rate?—They have.

454. Would the Town Commissioners, if they levied such a rate, have power to borrow on the security of it?—I do not know how that would be, because under the special Act of Parliament they had power to borrow this £42,000, and I should say that whatever moneys they borrowed by means of a district sewer rate, would have to be expended in the same way—that is on the district sewerage.

Dr. FRANCIS CROSSLE examined.

Dr. Francis
Crossle.

506. Mr. LAWLESS.—Are you one of the sanitary officers of Newry?—Yes; the sanitary officer of No. 2 district.

507. Does that No. 2 district comprise the portion of the town in county Down?—Yes; the entire portion of the town in the county Down.

508. You heard Dr. McBride state here the course that is pursued in the working of the sanitary laws?—Yes; and occur in his statement.

509. What is the general sanitary condition of that portion of the town under your care as sanitary officer?—The sanitary arrangements are very excellent in some parts, and in other parts very poor. Our side of the town comprises the old part of the town of Newry, where many of the houses are exceedingly old, and not only old, but very old-fashioned in their way.

510. Have these houses sufficient accommodation?—Do you mean as regards space or as regards sanitary arrangements?

511. I mean sanitary arrangements?—Many of them have not. A great number of them have not.

512. It was stated by Mr. Doherty and by Dr. McBride, that a great many of the houses in the county Down part of Newry, were formerly occupied by gentlemen, and are now tenement houses?—Yes, that is so.

513. In that class of houses to which he referred is the accommodation insufficient?—They have at the rear of the houses allotted to a privy connected with each house, and the drainage is pretty fair. They have a privy which however is not used except for the purpose of throwing their slops into. In many cases the slops are thrown out in the kennels and the streets of the houses, and I found it necessary to report constantly in consequence of such a state of affairs.

514. Of course that accommodation which might have been sufficient for the requirements of one family is absolutely insufficient for two or three or more?—Clearly it is.

515. According to what you say these privies are not used?—So far as I could see they are used for the purpose of throwing slops into (and they are thereby rendered unfit for the purpose for which they were intended), until the sanitary authorities come down and look after it, and then it is made right for a while, but in a short time after it becomes as bad as ever.

516. Have you had occasion to report the state of these houses to the Town Commissioners?—Yes; very frequently. I should say at least every couple of months.

517. Is it the duty of the sub-sanitary officer to inspect these houses in the ordinary discharge of his duty, and to report them to you, and to give notice to the inhabitants?—I believe it is, and that duty has been very fully fulfilled.

518. Do you find that sickness prevails in these houses?—Yes; to a very considerable extent.

519. Do you attribute that to the want of proper sanitary arrangements?—I do not think we can attribute it to that cause so much as to the filthy habits of the people who occupy them. The houses themselves are large and airy, and if the inhabitants only made some effort to keep them clean they would be the best and most healthy houses in Newry, but they are so impertinent that they often require my services as dispensary doctor. I don't think it is owing to any defect in the houses.

520. When you make these reports do you find your suggestions attended to and properly acted on?—Always. With regard to these houses they have always been most prompt in taking action.

521. Did you ever suggest with reference to that particular sort of houses, the building of further accommodation in the way of closets or privies?—I never have suggested the building of privies in connexion with this case, because I do not know why you should build them. There is already a privy in the rear and they do not use it.

522. You never have done so?—No. I do not

NEWTON,
March 18, 1877.
Dr. Francis
Greene,

think there would be much room for the erection of further privies, and when the people would not use one privy, I do not think they would be inclined to use two.

523. Have you any such localities in your district as that described by Dr. McBride—Jordan's-court in Ballyhoel?—Indeed we have a great number of them—I mean of a somewhat similar class of tenements.

524. Can you give me the names of them?—There is a place called M'Crink's-yard which I think is about the nearest approach to Jordan's-court that we have.

525. How many houses are there in that place?—I suppose there are eight or nine altogether.

526. Are these houses provided with proper accommodation for the inhabitants or absolutely without any accommodation?—I think they are almost entirely without accommodation.

527. What do the people do with the filth from the houses?—There is a sort of large empty field, which was at one time a garden, situated behind these houses, and it is used for that purpose. It is a sloping field, and it is used for receiving the manure.

528. In what direction does the field slope? In the direction of the town?—No; away from the town. In the opposite direction.

529. Have you had occasion to report this place to the Commissioners?—Yes; it has been reported more than once.

530. Do you find that sickness prevails much there?—Yes, there is more or less sickness there; but I cannot say there has ever been any epidemic traceable to the nuisance. The place is kept wonderfully clean. It is well looked after by the sub-sanitary officer.

531. Are there many places of the same character in Newry?—There are a good many in our district.

532. Would it be possible to bring such places into a fit state for human habitation without completely re-constructing them?—In many cases it would not.

533. And that reconstruction would of course involve the removal of the present houses?—Yes; I should say that these places are not in the main streets. They are outliers of the main streets.

534. Have you had occasion as dispensary doctor to complain of the want of sufficient drainage to the houses?—Frequently.

535. Does that want consist of an absence of main sewers through the town, or of connecting sewers from the houses to the main sewers?—In some cases the great want is that of main sewers, but more particularly it is of leading drains from the houses to the main sewers.

536. Have you ever made that want the subject of any complaint to the Town Commissioners?—Yes; on several occasions.

537. And have you suggested the required remedial?—Yes.

538. Have you found that your suggestions were

attended to, or were they disregarded?—They were fairly attended to, and a great deal has been done to remedy it. Everything that is done, is done well.

539. Did you ever find your suggestions disregarded?—Never, except in one case, where I had twice to report the want of drainage in connexion with houses.

540. What case was that?—The case of some houses in High-street. Mr. Hooks is the owner of the property. It is situated in the upper part of High-street. The houses are good, but they are very badly in want of drainage.

541. You say these houses with respect to which you made suggestions are the property of Mr. Hooks?—Yes. I am informed that there is some difficulty in the way of getting anything done, on account of his being non-resident in the town. He is in America, and it is not easy to find who is the responsible party. I know the Commissioners have been most anxious to get the defects remedied, but they have not been able to do so.

542. You say there are other houses in the street without drainage?—Those are the houses in question—the property of Mr. Hooks.

543. Do you say that is the only case in which your suggestions about having the necessary drainage made were not acted upon?—I cannot call to mind any other case in which prompt action has not been taken.

544. Have you ever in any of your reports recommended the erection of privies or water-closets?—Yes.

545. And have you in such cases found your recommendations complied with?—Yes, always.

546. Do you think that much has been done on the whole by the Commissioners, or those acting under them, to improve the condition of the town as regards sanitary matters?—I have been here only fifteen months, and during that time a great deal has been done. I think a great deal has been done to stop out disease and to render more habitable the houses of the poor.

547. I suppose constant watching and vigilance will still be required?—Yes.

548. Did you hear Dr. McBride's statement about the decrease in the number of fever cases in the town since the year 1865?—Yes.

549. Do you concur in the correctness of that statement?—As I was saying, I am not in a position to do so, because I have only been here for about fifteen months. I have here on account of the sums of money spent in making drainage within the last twelve months by the owners of property.

550. Can you mention any case in which your suggestions were not attended to besides that case of the property belonging to Mr. Hooks?—No, I cannot.

551. Can you mention any case in which from neglect of your recommendations, you had to make a second or third report?—No.

MR. JOSEPH DEVENISH MEARES examined.

552. Mr. LAWLESS.—Are you the town surveyor?—Yes, I am.

553. How long have you been town surveyor?—Since August, 1872.

554. At what salary?—£80 a year.

555. Are you a professional engineer?—Yes.

556. What are your general duties as town surveyor?—I have charge of the surface repairs of the roads and streets in the town, also of the drainage, looking after plans and alterations, carrying out market improvements, and have the general superintendence of all the public works in the town.

557. Do you include in the surface works the daily cleansing and scavenging of the town?—No, merely the surface repairs.

558. Have you any people who are acting under you?—Yes; there are three surface men. I should add that the waterworks are also under my charge.

559. You mean from the point at which the Town Commissioners' jurisdiction and control begins?—Yes.

560. With respect to the state of the drainage of

this town—is there a complete system of drainage?—No, there is not; but a great deal of money has been laid out on the drainage—about £3,700 during the last ten years—£3,680 was the exact sum.

561. Was that £3,680 spent in making main drainage?—Yes; main drainage through a number of the streets.

562. That expenditure was not all of course within your own knowledge; your time does not extend so far back as ten years ago?—No.

563. Have you taken that amount from the records of the Town Commissioners?—Yes, part of it. Of course I know what has been laid out since I came into office.

564. Do you know if the street drainage, so far as it exists, is good?—It is.

565. Is it the fact that, as was stated before me on Monday, portion of Hill-street, one of the principal streets of the town, is without main drainage?—Yes; it is perfectly unsewered; except by some small cess sewers; and there are some of the houses in Hill-street

Mr. Joseph
Devenish
Meares.

which have no drainage at all. There are several of the houses which have no yard accommodation, and the ashes and everything have to be carried across the street and emptied into the river.

565. Are you speaking of houses in Hill-street?—Yes.

567. The only remedy for that state of things would, I suppose, be to make main drainage through the street?—It would be the best way. As to houses which have not yard accommodation you could not give them any for want of space, but the main drainage would carry off the refuse from the water-closets; it would be the only remedy.

568. Is such a system a public necessity in your opinion?—I think so.

569. Have you ever prepared an estimate of the cost of such a system?—I have. In June, 1873, there was a committee appointed by the Town Commissioners, and I made a report to them which dealt with drainage works in other parts of the town as well as that of which you are now speaking. It does not propose a complete system of drainage, but the place dealt with in it comprises the principal portion of the town. There are some streets in a very fair condition; this was essential work. (Hands in report).

570. Do you mean that as only a supplemental system?—No; a reconstruction of the entire system, because some drainage works were already carried out, and some are very effective. It would be impossible to have a complete connected system of drainage in Newry, because the town is cut up by the tidal river and the mill-race.

571. When there is a main drain in any street are the houses in that street connected with it by connecting drains?—Generally speaking, a great deal has been done in that way within the past year by the sanitary officers requiring the people to make connecting drains. In two or three places main drains were constructed at the expense of the Town Commissioners, and the owners of the property adjacent made connecting sewers into the main drainage.

572. Is it your duty to report to the Commissioners the necessity of having connecting drains in places where such do not exist?—That is the duty of the sanitary officer.

573. If, when the Commissioners direct them to do so, the owners or occupiers of houses make connecting drains you have nothing further to do; but suppose they refuse to do so do the Commissioners proceed to do it themselves and afterwards charge them with the cost?—In such case it would be my duty to make out an estimate of the cost, which could then be recovered from the owner, but I think we never had a case of that sort.

574. What was the amount of your estimate of the cost of the system of drainage you suggested in 1873?—£250 for the county Armagh portion, and £2,238 for the county Down, making the total estimate cost £2,488.

575. Is it your duty to see that the main drainage of the town is kept in proper order?—Yes.

576. Are the main drains flushed?—They are flushed regularly in the summer time—it is not required in the winter. There is plenty of water in them; in fact too much water in the winter time.

577. Have you anything to do in connexion with looking after the slaughter-houses?—No; except in case there was a new slaughter-house proposed to be built. I should then, of course, require to see the place and the place where it was proposed to be erected.

578. Were you surveyor for the town at the time of the erection of the public markets?—Yes.

579. Are they now, in your opinion, kept in proper order and condition?—They are.

580. You say you have control over the water-works?—Yes. I carried out the Camagh water-works under the chief engineer. I was appointed town surveyor since.

581. In the year 1872?—Yes; in August, 1872.

582. Have you any persons under you in relation to the water supply?—There is only one turn-cock; but when any repairs are required to be done additional men, or the men employed by the Town Commissioners, are put on.

583. Has there been ever since these works were taken by the Commissioners, a full high pressure supply kept up for the town?—It is more than sufficient if proper care was taken of it; but there has been a great deal of waste in the summer time sometimes. The supply was perhaps a little short last summer, but a house to house inspection was made, and on a result there was less waste of water. The inhabitants consume between forty and fifty gallons per day each, and I need hardly say, that is an extravagant quantity. In Liverpool, by the adoption of certain means, they reduced the consumption from thirty gallons per head to ten or twelve gallons. The full quantity of 625,000 gallons per day is supplied to Newry.

584. Has that quantity always been supplied?—Perhaps once or twice there were complaints about the supply. It has to be regulated according to the level of the lake, and if the caretaker does not look after it the quantity coming down might be a little deficient.

585. Is it your duty to report any deficiency?—Yes.

586. Have you ever had occasion to do so?—No; I have not. That succour of water did not arise from the want of water in the lake, but from the valve not being properly attended to.

587. I see that notice was served under the seal of the Commissioners upon the trustees to the effect, that they would have to avail themselves of the powers of Act of 1871, by reason of their not having a supply of water for six hours. Was that notice given in consequence of your report?—No, I do not think I reported.

588. Was it necessary for you to be instructed to take any steps after the service of that notice?—No.

589. Is the supply of water now sufficient for all purposes in the town?—It is more than sufficient. We do not consume, generally speaking, anything like the 625,000 gallons per day.

590. Are the mains kept always full so as to be available at any time in case of fire?—Yes.

591. I suppose it is your duty to report all dangerous buildings, or anything of that kind?—Yes.

592. Do you find your reports on such matters properly attended to by the Commissioners?—Yes.

593. Is there any drainage in Upper Mill-street?—There are some very small intercepting drains.

594. Is there any drainage in William-street?—No.

595. Or in Courtney-hill?—No; the east part of it is being sewered, but is not yet completed.

596. Would the perfecting of the drainage works mentioned in your report make the drainage of the town complete?—Except very small portions of it. If it were completely carried out, it would provide for the requirements of all the town, except some small back places. An additional outlet is required in the canal to carry off the floods from the county Armagh side, which in some places have been two or three feet deep. I had nearly one foot of water in my house, which is situated very high up in Bridge-street.

597. Do you think an additional outlet through the canal would improve that state of affairs?—We will never get rid of these floods without it.

598. Mr. Fagan (chairman).—During the entire of the past winter part of the county Armagh side was under water.

599. Mr. Moore.—I am aware of it.

600. Mr. LAWLES (to Mr. Moore).—Are there any houses that remained flooded during the winter?—Yes; I may mention the case of my own house.

601. Does it remain flooded during the winter?—In some small houses there was two or three feet of water for twenty-four or forty-eight hours.

602. In your opinion would a proper system of drainage carry off that water?—Yes.

603. You suggest its outfall into the river?—Yes.

604. Mr. O'Hagan, Town Commissioner (to Mr.

Newry.
March 7, 1877.
Mr. Joseph
Bewick
Newry.

Meane).—Are the culverts erected by the London and North-western Railway Company, sufficient to carry off the water there? Were they made large enough?—That has nothing to say to the drainage of the town.

606. *Mr. O'Hagan*.—Well it affects it.

608. *Mr. LAWLESS* (to *Mr. Meane*).—Have you made any calculation of the sums expended by the Town Commissioners on town improvements and works, and in payment of county at large charges, since the Act of 1871 was passed?—Yes.

607. What calculations have you made?—I have taken the actual cost of surface repairs and drainage, and county at large charges, during the last three years—1874, 1875, and 1876. In 1874, for surface repairs, there was £778 7s. 6d.; county at large charges, £877 4s. 5d. (that includes the two counties); and for drainage, £5 1s. 8d.; making a total of £1,761 13s. 6d. In 1875, for surface repairs, £929 11s. 6d.; county at large charges, £1,095 3s. 11d.; and drainage, £755 3s. 3d.; making a total of £2,179 18s. 8d. In 1876, for surface repairs, £728 10s.; county at large charges, £980 0s. 11d.; and drainage, £219 17s. 1d.; making a total of £1,828 8s. This would give an average of £1,923 7s. 1d. a year, for three years. The county rate, at 2s. in the pound, would, on the valuation of £28,000, produce £5,600, the surplus of which—after the payments I have mentioned, would, before the Act of 1871, have gone to the county. This

shows an average gain to the town of £300 or £250 a year.

608. Do you mean main drainage by what you call "drainage"?—Yes, the actual drainage works carried out by the Commissioners in the streets.

609. Before that the town was paying a 2s. rate?—I do not include anything in that for scavenging or cleansing, which the 2s. rate went to pay. There were actual works carried out.

610. Has the transfer of the powers of the Grand Jury been of benefit to the town?—Yes; I think so.

611. In your opinion, as a professional gentleman, has it been of advantage?—Certainly, as regards the repairs and improvement of the streets, because they now get the undivided attention of the surveyor and the undivided application of the funds. Taking an average of the last three years, it would give a saving of much over £500 a year to the town. (The witness handed a written statement, showing, firstly, the expenditure on flagging, paving, crossings, aqueducting, &c., on Newry, from 1866 to 1876 inclusive, and the sums contributed thereto by the county, and paid by private owners and occupiers; secondly, the expenditure on streets, roads, repairs, and drainage, and for contribution to county at large charges for 1874, 1875, and 1876; thirdly, the expenditure on drainage works in the town of Newry from 1865 to the end of 1876, and the amounts contributed thereto by the county and by owners and occupiers.)

Mr. James
Fegan, J.P.

MR. JAMES FEGAN, J.P., examined.

612. *Mr. LAWLESS*.—Do you, as chairman of the Newry Town Commissioners, wish to make any statement about the affairs of the town?—You have got such a very full and correct explanation from the officers of the town that I don't see I can add very much to what you have already heard. I simply wish to say with reference to Jordan's-court, in Ballybot, that it is a piece off the Main-street, the entrance to which is by a gateway, and it was formerly a vegetable garden. The lower end of it is a swamp, and these houses were built by a carpenter in a shed way up against the wall by two labourers. I was in there, and they contain about eight feet by two of space. They are lighted by two very small windows, and very small step-ladders lead to the apartments above. They were not fit for human beings to live in, but they have now got into the hands of a very respectable merchant of the town of Newry, and I am informed that he is going to remove them altogether. The Town Commissioners could not prevent them from being built in the first instance. With respect to the houses in county Armagh—the old ancient houses referred to—I may say that they are good houses; but they are now in the hands of small middlemen, who let them off in rooms, and the back premises formerly attached to them were made into dwelling-houses. There was accommodation enough formerly in these houses, and there is accommodation enough still but for the filthy habits of the people who occupy these rooms. They would not remove their nuisance from the rooms into the yard, and it is quite true that they throw the nuisances on the landings. The worst case reported to you was that relating to the property of a man named Hooks. Unfortunately he is in Canada at present, and the Commissioners find difficulty in taking proceedings against him, owing to this property being in the hands of a loan company. I may say I believe the Town Commissioners are doing all they can to improve the state of affairs with the funds they have in their hands. They would wish to do more in the way of drainage, and the only way I see it could be done is that their funds should be increased by getting a loan from the Government at a reduced rate of interest. If that could be obtained the saving on interest and sinking fund would place in the hands of the Commissioners very nearly £300 a year, which would be available for drainage purposes. There is a statement that Mr. Delaney wishes me to make. Under the Act of George IV., which was adopted in

the 15th September, 1838, the valuation of the town, excluding the houses under £5, was £25,798. On the introduction of Griffith's valuation their rateable value was reduced to £19,000, excluding houses under £5.

613. Was that in 1861?—No; I think it was further back. I think it was in 1844. The consequence was that the amount of money realised by the Commissioners under the Act of George IV., would barely pay the expense of lighting the town and cleansing it, so that they had nothing left to expend on improvements. After the Towns Improvement Act was adopted the valuation of rateable property in Newry was £30,921—that includes all property valued from five shillings up. The valuation in 1877 was £30,102 17s., and 1876 it was £29,463 12s., so that all this statement shows we are improving.

614. Do you state as chairman of the Commissioners that you have no power to close and shut up or prevent from being inhabited the houses in Jordan's-court, Ballybot?—I am not quite sure as to that.

615. Has any attempt been made?—I think there was a notice served.

616. You say with reference to the houses that were the property of this man named Hooks, that you found difficulty in dealing with them by reason of his absence, and because of the property being in the hands of a loan company?—Yes.

617. Can you not treat the loan company as owners of the property?—I suppose we could, but those houses referred to by Dr. Cronin, at the upper end of High-street, are portion of the property. I may also mention that there are some cellars in the town of Newry that ought to be closed up; they are not fit to be occupied by human beings.

618. Are there cellars in the town of Newry occupied by people as dwelling-houses?

619. *Mr. Meane*.—There are some but not very many.

620. *Mr. Fegan*.—There are a good many of them.

621. *Mr. Meane*.—They are not altogether underground. There would not be more than a couple of dozen of these cellars in the town altogether.

622. *Mr. Fegan*.—I may say the Commissioners under the 9th of George IV. made sweeping reforms in the cellars.

623. *Mr. LAWLESS* (to *Mr. Fegan*).—Are the present Commissioners doing anything towards having them closed up?

624. We are doing nothing as yet through our attention has been called to them. They must have certain accommodation, whereas I think none of them have. The floors must be only a certain depth under the street and they must have ventilation and some other conveniences, but the cellars I allude to have no conveniences and there is no ventilation except at the door; there are no windows in them, or any means of ventilation except the door.

625. Are the Commissioners doing anything for the purpose of getting these cellars closed up?—I think there has been nothing done. On the whole the town is very healthy, and I attribute its being so to the river which passes through the town—a tidal river which rises once every twelve hours.

626. Are these cellars ever flooded?—I think not; they are not low enough down to be subject to floods. There are houses in Newry which have no accommodation whatever, and they throw their refuse on the streets.

627. Do the Newry Town Commissioners employ any watch?—We do not; we find it simply impossible to do so, in consequence of the state of our funds. At the time the Act was introduced there was an inquiry made as to the cost of employing constabulary, and I think it was ascertained that to do so would cost something about £1,500 a year. We would need to have two sets of men, one for the day time, and one for the night, and a head-constable, and we would also be bound to supply a barracks. There is no use of our employing watchmen. I believe they would have no power to make arrests.

628. The town is under the constabulary without any special payment to them as watchmen?—Yes; we

have three constabulary barracks in the town, two in the county Down side, and one in the county Armagh side. I am not sure whether or not we have the proper number of policemen that we are entitled to; but I think we have not. A great deal of the nuisance in the town is owing to the intemperance of the occupiers of the houses.

629. Do the Commissioners, as a body, in your opinion, exercise proper diligence to the best of their power in suppressing the wants you complain of?—I think they do. As far as they have means at their disposal they do.

630. I believe that the Commissioners, as a body, are authorized to nominate two persons as members of the Carlingford Lough Commissioners?—They are.

631. And they nominate two persons?—Yes; they nominate two members of any body.

632. Do these gentlemen, who were nominated as members of the Carlingford Lough Commissioners, continue to be members of the Town Commissioners?—One of them only has continued to be a commissioner.

633. Does the gentleman who is not now a commissioner still continue to act on the Carlingford Lough Commissioners?—He does; and he went against the wishes of the majority of the Commissioners, and we wrote both a letter to give up their appointment. At that time we considered that they could only be members of the Carlingford Lough Commissioners, while they continued to act as Town Commissioners.

634. Do you consider then that you have only half the representation on the Carlingford Lough Commissioners that you ought to have?—That is so; and it is absolutely necessary for the interests of the town that we should be represented on it.

Mr. JOHN J. O'HAGAN, J.P., examined.

635. Mr. LAWSON.—Do you, as a Town Commissioner, wish to make any statement?—Yes; I wish to say that there is a great want of slaughter-houses in Newry, and they are very badly situated; but our means are so very limited that we cannot build the slaughter-houses which we have power to do under the Act of 1871.

636. But you have power to regulate the existing slaughter-houses?—Yes; and all that can be done has been done. The people are doing what they are able to do, but the slaughter-houses are so surrounded by houses, that the nuisance which they create cannot be

put down. A sum of about £600 would make a public slaughter-house. I wish to say that since the passing of the Act of 1871 there has only been an increase in the rating of 6d. in the pound, notwithstanding all the improvements which have been made in the town, and if they had not met with such opposition when introducing the Improvement and Water Act, the municipal taxation would not exceed 3s. 6d. in the pound; it is now 4s. We have also to pay very high interest on the loans. The slaughter-houses are at present situated in various parts of the town, and in the summer season the smell is absolutely intolerable.

Mr. DOWNEY (town clerk) re-examined.

637. Mr. LAWSON.—Do you wish to give any further evidence?—Yes; there is just one other matter to which I desire to call your attention. The Local Government Act, 34 & 35 Vic., chap. 109, sec. 27, refers to the mode of making out the municipal voters list. You will see that the entire responsibility of constructing or making out this list is thrown on the clerk of the Town Commissioners. There is no provision in the Act of Parliament providing for the revision of these lists by any responsible party, and it puts the town clerk in a very awkward position when the lists have to be made out at a very short notice, and parties have no opportunity of appealing. I would say that there should be a revision of the municipal voters list as well as the Parliamentary voters list, or power should be given to the Chairman of the Town Commissioners to preside over the preparation of the lists, and sign them if correct.

638. That matter was left completely unaltered by the Act of 1871?—I think that some one should revise these lists, and that an opportunity should be given to parties who might wish to appeal—people who think they have a right to the franchise should be heard.

639. Have any actual difficulties with regard to this matter arisen here?—As far as I am personally concerned I think I may say there has never been any charge made against me for doing anything that was wrong, but people have complained that they were not on the list when they should have been. I was of course obliged to go by the books before me when

making out the list. I had no means of making it but by taking it from the books. Since the election has been by ballot the matter becomes very difficult, for before the adoption of the ballot you could exercise supervision by a scrutiny, but now there is no opportunity of doing that. I think there would be no difficulty in making out these lists if the chairman of the Town Commissioners sat, and presided over their preparation.

640. Mr. MICHAEL DOWDY, solicitor, was examined, and said that he had been requested by a Town Commissioner to call attention to the unprotected state of the Newry canal, and also to the want of night watchmen. Of course he did not expect that the Navigation Company would at their own expense put up sufficient rails or chains on the sides of the canal to protect the lives of people in the town, but if the Commissioners made a small assessment for that purpose he believed the ratepayers would not object to pay it. Two hundred lives had been lost within the last twenty years by people falling into the canal, and this might have been partly owing to the unprotected state of the canal, or the intemperance of the people. The town was altogether unprotected at night, as there were no watchmen.

641. Mr. O'Hagan said he did not believe the ratepayers would agree to an assessment for the purpose of erecting protection along the canal. The Commissioners did not want to have anything to do with the canal at all, and he did not believe that there was a single instance of a sober man being drowned in it.

The Inquiry then terminated.

DUBLIN.—April 24, 1877.

(Before Mr. CORBETT and Mr. LAWLESS, Q.C.)

Mr. JOHN NEWWOOD, LL.D., examined.

DUBLIN.
April 24, 1877.Mr. John
Newwood, LL.D.

1. CHAIRMAN.—You say, I understand, a member of the legal profession?—I am.

2. And have you been a member of the Town Council for many years?—For ten or twelve years.

3. I am not sure whether you are an Alderman or a Town Councillor?—A Town Councillor. Perhaps it would be convenient if I now gave you a short sketch as to what the corporate property consists of.

4. Although that is not exactly to the point we are here to inquire into, it may, perhaps, be convenient we should have it shortly on our notes?—There were 311 separate holdings under the denomination classified as "ancient revenue," and in September, 1866, the income under that head was £11,495 4s. 10d. Then there is the St. George's estate, which they hold under charter. There are about seven separate holdings under that denomination, and the annual produce, according to the audit on the 1st September, 1866, was £168 6s. 10d. The third denomination is All Hallows' or All Saints', and that estate contains 137 holdings, and the annual produce, according to the last audit of the treasurer's account, in September, 1866, amounted to £3,394 3s. 4d. The next is No. 4, St. Mary's Abbey and Thomas-court estate, and there are sixty-seven holdings under that denomination, and the annual produce, according to the same audit, previous to the publication of the volume, was £1,393 11s. 2d. No. 5 are Royal gifts.

5. That is not land?—No, but they are part of the corporate estate, amounting respectively to 2,276 18s. 6d. and £451 10s. 8d. No. 6 source of income consists of ferries, and they are let on lease or demised by lease at the annual rent of £209 4s. 6d.

6. What is the date of that lease? The date of the lease is given here at page 9 of the rental as 1817?—Yes, exactly; I find they were let from 1817, at an annual rent of £209 4s. 6d., late currency.

7. Can you tell of your own knowledge how that lease was granted?—I can tell by reference to the minutes.

8. It is so long antecedent, it is, perhaps, hardly worth entering into it. What I think the intention of the select committee was that we should inquire into the present practice, and, incidentally, into such leases as have been granted recently?—Very well. That makes a total rental, at the date of publication of this document, upon 525 holdings of £20,327 13s. 11d., less by crown, quit, and chief rents, £426 13s. 4d.—£19,901 0s. 7d. The Water Estate is on page 10—£12,723, and in 1846 it had reached to £31,184 4s. 9d. Then there is the Wide Street estate, and the annual income of the twenty-four holdings, of which it consists, which were taken over from the Wide Street Commissioners by the Corporation is £415 11s. 8d.

9. Tell me whether these holdings are let on lease or as yearly tenancies?—They are let on lease. Some of them were let on lease before the Act of Parliament which brought them under the Corporation came into force. Some of these holdings are held on hand by the Corporation as depots.

10. Shall I find these Wide Street holdings in the rental?—Yes.

11. Mr. LAWLESS.—Tell us under what heading we will find it?—"W.S.," which is Wide Street. Then there is another class of estate called the Paving estates. The Commissioners of Paving, under several Irish and Post Union Acts, had a large paving-house and concern in Mary-street, opposite the Apothecaries' Hall, which was sold by auction when it came under the control of the Corporation in 1853.

12. I see that was sold by public auction for £4,100?—Yes; the Corporation also have several pieces of ground in the city, which are used as weighing depots, for which annual rents were paid by the Corporation, and they are in the rental under the head of "P.W."

13. CHAIRMAN.—Are these rents carried to the credit of the improvement fund?—These are rents paid by the Corporation.

14. Yes, but are they paid by the Corporation to itself?—They are part of the Corporation estate, but the public has the use of them.

15. I apprehend if they pay rent from one fund it is carried to the credit of another fund?—Of course, in the credit of the improvement fund. Then there is the Circular-road estate, and that is under the Dublin Improvement Act, 1845. A certain Act was passed in the olden time for the construction and maintenance of circular-roads, and by the Improvement Act they were repealed, and the tolls abolished, and the several toll-houses were transferred to the Corporation, but they are not of much value. Their annual income amounts to £39 10s. Then there is the Cattle-market estate.

16. Yes, but we may pass that for the present; all information with regard to that can be given by and by?—Then there is the Mansion-house, and it is part of the estate, subject to a small rent, and the City Assembly-house, which the Corporation rent under a terminable lease; and the Royal Exchange or City-hall, where we now are.

17. The great bulk of the property is within the municipal limits, I believe?—Yes; the greater part.

18. I observe, however, that part of Bagginott is outside the boundary?—Yes, it is outside, and so are Ballymore, Clontarf, Donnybrook, Ballyke, and Grange on the north side, and Colinstown and Ringwood on the south.

19. Very well. Let us return now to the object of this head of our inquiry as to the letting of the corporate property?—There are two descriptions of estates—houses within the city, and they are nearly all comprised under the head of dwelling-houses and tenements, and agricultural property, which we have at Colinstown and Ringwood, and at Grange, Ballyke, and Clontarf. We have a little landed property also in the city—Stephen's-green—about twenty-two acres; and a place called Island-bridge—fifteen acres.

20. Does everything that is coloured green on the maps in this rental represent houses in perpetuity; everything coloured yellow property alienated and thus unproductive; and that coloured red terminable leases?—Yes; as I understand, their leasing powers are under the 3rd and 4th Vic., cap. 103, sections 140, 141, 142, and 143.

21. By these sections if you grant leases it must be for either thirty-one or seventy-five years?—Yes.

22. And if for more than thirty-one it must be for a building lease?—Yes.

23. Mr. LAWLESS.—Was there any Act passed affecting the leasing powers of the Dublin Corporation?—There were prohibitory Acts passed immediately before.

24. No; but I mean after that?—There was one which I will have to mention hereafter—an Act passed in 1854, dealing with certain leases of Grange and Ballyke, under circumstances which I will have to detail presently; and by-laws which have the force of Acts of Parliament when approved of.

25. The by-laws are under the Municipal Corporations Act?—Yes. They have undoubtedly the force of an Act, and were passed in June, 1851, at a special meeting of the Council held on the 24th June, 1851, two-thirds of the Council being then and there present. The 55th by-law—

26. CHAIRMAN.—First of all, what was the practice previous to 1851, can you tell, as to old leases when they fell in? Were they let by auction previous to the by-law of 1851 or not?—I believe always by auction since the Corporation came into existence. The practice is, that the law agent brings before No. 3 Committee the filling out of any lease.

35. Are you speaking now of the course previous to 1851?—I always understood from Mr. Morgan that the course was pursued since 1840, namely, that the law and land agent when a lease fell out had it notified to No. 3 Committee, and as soon as sufficient number of leases fell out to justify the expense of advertising and having an auction, an auction was called and in open Court they were sold off by him acting as auctioneer; the highest bidder being declared the purchaser, subject to the approval of the Council. There are regular notices published. They insist invariably that the last year's rent is to be paid in advance. The person declared purchaser deposits one-fourth of the purchase-money with the treasurer pending the decision of the Council as to his eligibility. As soon as he is declared the tenant the Corporation solicitor prepares the lease, and the tenant pays one year's rent.

36. Are you speaking now of the present practice?—The practice ever since 1840.

37. Then in point of fact the 55th by-law, passed in 1851, was only confirmatory of the practice existing previously?—So I always understood it.

38. Let us have that 55th by-law on the table?—This is it—

"That no property of the Corporation shall be disposed of except by notice also public advertisement, subject however to confirmation by the Council; provided however, that if also being then set up to public competition on two occasions, without a sale or letting being effected, the Council shall, upon a special report thereof, have the power to dispose of such property in the manner by them considered most proper."

39. Mr. LAWLER.—I find that by-law of 1875 was in the same terms precisely?—It was continued the same down to 1875.

40. CHAIRMAN.—The information I have got previously is that last year it was thought judicious to introduce a change—was it not?—It was. I will tell how it came about. It appears that a number of leases in the best business part of the city fell out in 1889.

41. And some few also, I think, in 1877 and 1878?—Yes. This schedule (produced) [see Appendix No. 15, p. 346] was prepared pursuant to an Order of Council of the 13th of February, 1877, and it appears that a number of leases were falling out, and many of the persons who were not actually occupied had been in possession of these holdings for twenty, thirty, and forty years, and had made their houses of business well known to the public. Many of the immediate lessees of the Corporation were persons living in England and elsewhere, away at considerable distances, and had no interest in the premises, farther than the receipt of the rents reserved. The Corporation thought it would be unfair to these persons who, like Messrs. Hodges and Foster, had made business connexion for their premises, that they should remain till the lease expired, and then be subject to the competition of rivals, and they addressed His Grace the Lord Lieutenant upon the subject, explaining in a memorial the state of affairs.

42. What was the date of that memorial?—I can get it for you. It was some time in 1876.

43. Then it was some time before these proposals came in?—Yes; long before. No. 3 Committee of the Corporation had an interview with the law adviser, and Mr. Burke, Under Secretary, and the result of that interview was, that the Lord Lieutenant saw the justice of not turning these people out at the expiration of their leases, and a modification of the 55th by-law was made with the sanction of the Lord Lieutenant. The modified by-law is in the following terms—

"That no property of the Corporation shall be disposed of (save as hereinafter mentioned) except by notice after public advertisement, subject, however, to confirmation by the Council; provided that if, after being then set up to public competition on two occasions, without a sale or letting being effected, the Council upon a special report thereof, shall have the power to dispose of such property in the manner by them considered most judicious. The exception to the foregoing being in the case of a tenant who is in actual occupation, and where the lease is within a period of five years' expiration, who shall by memorial to the Council ask for a renewal of said lease, and there and in such case the Council may, with the consent of the Lords of the Treasury, grant a renewal of said lease, without offering the premises to public competition, the same

term not exceeding thirty-one years, or in the event of the tenant proposing to renew the premises, for a term not exceeding seventy-five years, at a yearly rent to be calculated by a survey and competent valuator to be appointed by the Lords of the Treasury, at the yearly value of the premises at the time, and upon the express condition of the tenant before the expiration of such new lease expending such sum of money upon the premises as the City Engineer for the time being, upon his oath, may declare to be necessary, having regard to the period of years for which such new lease may be granted, and for the purpose of bringing the premises put into such a state of repair as may, as far as practicable, enable them to be let for the term of the expiration of the term in good and substantial condition; and in the case where the rebuilding of the premises may be required on a building lease for seventy-five years, the new building to be erected under the superintendence and control of the City Engineer, subject to the direction of the law, lease, and finance committee of the Corporation."

44. By that it appears that is not a rule of general application; but that you must make a special application to the Lords of the Treasury in every instance?—In every instance. I may mention that notwithstanding the rule here, that if the property be put up twice and not sold by public auction, then that it may be disposed of by the Corporation upon a special report in such a manner as they may consider most judicious. I have been ten years on the law and lease committee, and I never knew an instance where it became necessary to exercise such discretion.

45. What has been the course pursued by No. 3 Committee with regard to these leases under the amended by-law?—Mr. Morgan, as the law agent, issued a printed circular to all persons whose leases were about to expire, and such of these as were anxious to take advantage of the 55th by-law were requested to send in proposals to No. 3 Committee. According as these proposals came in they were submitted by Mr. Morgan to the committee. In some cases the persons wished to have leases for thirty-one years, and in other instances they wished to have building leases for seventy-five years. Mr. Morgan then reported upon them, and the committee directed, for their own information, that Messrs. Brunnington and Gale, who are eminent valuers of property in the city, should report as to the value of the premises.

46. Was that valuation intended to be preliminary to the valuation by the Lords of the Treasury?—Yes, quite independent. That provision about the Lords of the Treasury was put in by the Corporation unanimously. They did not wish to take the responsibility of valuing upon themselves, and, therefore, they wished the protection of a Government valuator. They got a valuation from Messrs. Brunnington and Gale, and then after discussing the matter they sent forward a report to the Council, generally recommending that a memorial should be forwarded to the Lords of the Treasury, founded on the proposal of the tenant, and in some instances memorials have been sent forward. The Lords of the Treasury were asked to appoint a general valuator, and they said "No; we will appoint a valuator for each case *pro et contra*." And accordingly they have done so in one or two instances; and I will be able to lay before you the proposal and report on each case, and the letter of the Lords of the Treasury.

47. Have any new leases been granted under the amended by-law?—None yet.

48. Can you give the date when it was amended? Did you not say the application was made in 1876 to the Lord Lieutenant?—Yes, it was made in 1876. This is the reply to the memorial on the subject—

"Buckley Castle, 7th March, 1876."

"Sir,—I am directed by the Lord Lieutenant to acknowledge the receipt of your letter of the 25th ultimo, enclosing an amended by-law of the Corporation, and to acquaint you, for the information of the Municipal Council, that His Grace is advised that there is no objection to the by-law as amended."

"I am, Sir, your obedient servant,

"T. H. BAKER."

That is directed to the Town Clerk, City Hall.

49. In point of fact, then, the amended by-law was submitted on the 18th of February to the Lord Lieutenant?—Quite so; and the interview with Mr. Burke and the Law Adviser took place in the interval. Upon that letter being read on the 13th March, at a meeting

DEPOSED
April 24, 1877.
—
Mr. John
Newbold, T.M.C.

DEAN
April 28, 1877.
Mr John
Norwood, &c. &c.

of the Council, it was moved by Mr. Denny, and seconded by Mr. Byrne—

—That this letter be referred to a committee of the whole house, with instruction to take into consideration the nature and circumstances of the property of the Corporation from the falling out of the lease, and to deal therewith by recommendations to the house from time to time, as occasion may require. Put and carried.

I have been asked by a person here, and I may state that the by-laws are not in possession of the 3rd and 4th of Victoria, c. 108. They are in possession of an Act of this Council, which entitles them to make by-laws, and when they are approved of by the Lord Lieutenant they have the force of laws.

42. I was going to ask whether since February, 1876, and the answer of the Lord Lieutenant to your application, any property had been let by auction since that date—I think not. The last one was in January, 1875.

43. There was a property, I see, let in 1875, in Upper Bridge-street, and another in Holborn-street, and in 1876 some seed offices in the Cattle-market.—Yes, there were a few holdings; one lot in 1876 in St. Andrew-street.

44. The amended by-law does not apparently in any way preclude a sale by auction?—Not at all. It is simply in regard to special cases.

45. Up to the present time have whatever leases have fallen in since 1851, and as you believe since 1846 also, been let by auction to the best of your belief?—Quite so. I never knew an instance otherwise, but since that by-law was altered there have been cases in which memorials were sent forward, and the acceptance of the terms of these memorials has been sanctioned by the Lords of the Treasury.

46. Do you mean that no leases have been yet actually made, but that proposals have been sanctioned by the Lords of the Treasury?—Yes; and I will give in the memorial and proposal of these. I may mention with regard to these proposals, that after being adopted by the Town Council upon the recommendation of No. 3 Committee the copy of the original memorial is posted upon a board, and exhibited in the street at the front of the municipal buildings, and it remains so exhibited for one month before it is forwarded to the Lords of the Treasury.

47. The position, as I understand it, is this—any parties desiring to have leases granted to them under the terms of the amended by-law, forward a memorial to the Corporation. That memorial is referred in the first instance to No. 3 Committee, who then make a recommendation to the Town Council upon that memorial?—Yes; quite so; and the Council then order their law agent to prepare a memorial to the Lords of the Treasury, embodying the terms proposed, and the memorial so prepared by the law agent of the Corporation is posted up outside the City Hall for the space of one month, and at the expiration of that time it is forwarded to the Lords of the Treasury.

48. Is the recommendation of No. 3 Committee accepted as a matter of course by the Town Council, or is it again discussed in committee of the full house?—It is not accepted as a matter of course, but occasionally the house sends back memorials to No. 3 Committee for reconsideration.

49. When they are sent back to No. 3 Committee, who is it sends them back?—The Town Council.

50. The matter then is discussed in open Council?—Oh, yes.

51. And it is open for anyone to read the proposal when it is posted up outside?—Yes.

52. And at the expiration of a month the memorial is forwarded to the Lords of the Treasury?—Yes. The notice is posted up pursuant to the 3rd and 4th Vic., chap. 108, sec. 141, and the 6th and 7th of Vic., chap. 53, sec. 8.

53. That is the statute which directs the posting up to be made of these applications?—Yes. The terms of the section are:—

“That notice of applications to the Lords Commissioners of His Majesty's Treasury for the sale or purchase of lands shall be, after notice of the intention of the Council or Commissioners to make such

application, inserted once at least in the *Dublin Gazette*, and in several local newspapers, and shall be affixed on the outer door of the town hall or in some other public and suitable place within the borough one calendar month, and such applications and copy of the memorial intended to be sent to the Commissioners of His Majesty's Treasury shall be kept in the town clerk's office during such calendar month, and shall be freely open to access to every burgess or person entitled to vote at the election of town Council or Commissioners, or members of the borough at all reasonable hours.”

(See Appendix No. 15, page 367. Copy of notice of memorial re Miss Garty's *Leases*, at present being exhibited at Town Hall.)

54. Witness.—I told you that the Town Council referred that letter of the Lord Lieutenant to a committee of the whole house, and the first meeting of the committee of the whole house appointed on the 15th of March, 1876, is re the amended 55th by-law, met on Friday, the 24th of March, 1876. The minutes of the Council state:—

“Read.—References to the Council of 15th of March, 1876.—(And then the subject of reference is set forth.)

“Moved by Councillor Byrne.—‘That on the 6th of April, the day upon which the by-law will become law, the town clerk apply to the Lords of the Treasury to agree to a return and certificate in favour for the purposes of the by-law.’ Question put and carried.”

“Moved by Councillor Byrne.—‘That the law and land agent be requested to immediately prepare a schedule of all property coming within the terms of this by-law, with the occupiers' names, and all other information.’”

55. This then is the schedule referred to in that resolution that I have in my hand?—Yes.

56. And then you got an answer from the Lord Lieutenant, I apprehend, to the effect that they would not make any general appointment of a seven valuator?—No; that answer came from London. The next meeting of the Council, re the amended by-law, was held on the 17th of January, 1877.

“Moved by Councillor Byrne.—‘That the present actual occupiers of all property, the names of which appear within five years from the 4th of April, 1875, be invited to forward proposals to the committee for leases, to commence from the day upon which the present Corporation house expires, whether the occupier holds directly from the Corporation or not, and that said invitations be inserted in the said several occupiers by the town clerk.’ Question put and carried.”

“Moved by Councillor Byrne.—‘That all other parties, if any, who were in actual occupation on the day five years previous to the expiry of the Corporation lease, be also invited to send in proposals to or to give the Council the fullest possible information in such particular cases.’ Question put and carried.”

This resolution is also on the 17th of January, 1877.

“Moved by Councillor Byrne.—‘That a copy of the by-law, with the foregoing two resolutions, be published three times in the most newspapers.’ Question put and carried. The committee then adjourned until three o'clock to-morrow.”

The 5th meeting of the committee of the whole house, re the 55th by-law, was held on Thursday, the 8th of February, 1877.

“Read.—Copies of second re the 55th by-law.”

57. Had they then taken counsel's opinion on some points involved in that by-law?—Yes. It was then moved by Councillor French—

“‘That the cases, with the queries and opinions of Messrs. Law, G. O., and Walker, G. O.—be printed and circulated amongst the members.’ Question put and divided taken, when three appeared.—for the motion, 61 against, 6. The chairman having refused to give his casting vote the motion fell through. The dissentients to be reported to Council.”

58. Upon what point had you referred that by-law to counsel for their opinion?—For their construction of it with regard to what parties were embraced within the scope of its operation. I should explain that after the 55th by-law passed, some persons who were intermediate parties between the Corporation and the actual occupiers, served notice to quit upon the actual occupiers, thinking they would get the advantage of the operation of the by-law, and in consequence of that some cases of hardship were laid before the committee. They will be brought under your notice, and there is documentary proof of them, and upon that the following resolution was moved:—

“Moved by Councillor Byrne.—‘That in view of difficulties arising notice to quit on actual occupiers of premises, the property of the Corporation, in the hope of obtaining some advantage thereby under the 55th by-law, as amended, that a special meeting of the Council

to be forthwith removed, that an answer request be made in every number to attend in the place, and that the Council be invited to pass, in the most formal manner, the following or some similar resolution, as that the determination of the Council may be made unaided, to prevent, in far as in a law, the equitable demand of actual owners, and to be able to allow any advantage to the middleman under a by-law not intended for such purposes.

Resolved.—That we the undersigned Council of the city of Dublin, in special meeting assembled, hereby declare that, the intention of the Council when it amended the 55th by-law was to afford protection, on equitable terms, to the then actual occupiers, and that the Council, therefore, declares that in case any middleman so serving notice to quit or ejecting the actual occupier before the expiry of the original lease, in the hope or expectation of obtaining the exceptional favour of a lease, without public competition, under the discretionary power conferred on the Council in the amended by-law, that under no circumstances will the Council grant any such favour to any person so serving notice to quit on the actual occupier, but, on the contrary, it will decline to grant to any such person any lease of premises, either originally in his own occupation or otherwise.*

On the 10th of February the committee met again.

53. Is this No. 3 Committee?—No; the committee of the whole house, which sat in pursuance of the resolution of the 13th of March, 1876, determining that all proposals should be submitted to that committee of the whole house. Well, the minutes, in continuation, say—

—Moved by Councillor Byrne.—That Councillor Rochford get a lease of the premises from City-quay to South Gloucester street for seventy-five years at a rent and equity to be fixed, by the by-law, as to equity, and Messrs. Birmingham and Gale as to the rent, and that upon the expiration of the said lease, the use now in occupation shall be by then surrendered; the part portion of Gloucester-street to be then leased to Messrs. Mansell upon like terms and conditions. The original question put and carried.*

(The *Witness* handed to the Chairman copies of the opinions of Messrs. Hugh Law, &c. (Solicitor-General in the late Government), and dated the 24th of January, 1877, and also the opinion of Mr. Samuel Walker, &c., under date the 23rd of January, 1877.)

54. Council agreed, I see, substantially, on the case submitted?—Yes. A meeting of the Council was then held on the 16th of February, 1877, and the minutes state—

—Moved by Councillor Gray, seconded by Councillor MacDonnell. Resolved.—That we, the Municipal Council of the city of Dublin, in special meeting assembled, hereby declare, that the intention of this Council, when amending the 55th by-law, was to afford protection on equitable terms to the then actual occupiers and their representatives, and that this Council therefore declares that in the case of any middleman so serving notice to quit, or ejecting the actual occupier before the expiry of the original lease, in the hope or expectation of thereby obtaining the exceptional favour of a lease without public competition, under the discretionary power conferred on the Council in the amended by-law, that under no circumstances will this Council grant any such favour to any person so serving notice to quit on the actual occupier, but, on the contrary, it will decline to grant to any such person any lease of any premises either originally in his own occupation, or otherwise.*

51. That is precisely the resolution moved by Councillor Gray in committee?—Yes; and to this an amendment was moved—

—That the consideration of this resolution be adjourned to this day to-morrow. Question put, and division taken, when they appeared for the amendment 3; against 25. Then the original question was put, when a further amendment was moved by Alderman Farlow, seconded by Councillor John Birmingham.—That we, the Municipal Council of the city of Dublin, in special meeting assembled, hereby declare that the intention of this Council, when it amended the 55th by-law, was to afford protection on equitable terms to the then actual occupiers, and that this Council therefore declares that in the case of any middleman so serving notice to quit, or ejecting the actual occupier, before the expiry of the original lease, in the hope or expectation of thereby obtaining the exceptional favour of a lease, without public competition, under the discretionary power conferred on the Council in the amended by-law, under no circumstances will this Council grant any such favour to any person so serving notice to quit on the actual occupier, unless on special cases shown and allowed by vote of Council, but that, on the contrary, it will decline to grant to any such person any lease of any premises either originally in his own occupation or otherwise.*

* Question put as amendment, and division taken, when division appeared—

For the amendment, . . . 3

Against, . . . 19

* The original question was then put and declared carried.*

52. The amendment, then, only differed from the original resolution by the admission of exceptions

* on special cases shown and allowed by vote of Council?—Yes. An application had been made by Councillor Rochford as far back as 1874, and I think it forms the subject of a printed report. Mr. Rochford is the representative of the direct house of the lease granted to "Precious Clack" in 1779 for ninety-nine years, and which, therefore, expires in 1878. The name appears at page 37 of the rental. Mr. Rochford, as far back as 1869, applied for a new lease, and he and his father had been for forty years and upwards in occupation of these particular premises, and No. 3 Committee recommended, after a good deal of delay, and after the by-law was amended, that the Council should grant a lease to Mr. Rochford of these premises at the valuation put upon them by Messrs. Birmingham and Gale. A memorial was sent forward to the Lords of the Treasury, and a reply came back from them enclosing a letter from the law and land agent of the Corporation, Mr. Francis Morgan, and it is necessary that I should call your attention to that communication, as it has been made the subject of animated discussion.

53. When did the committee send forward leave that the lease should be granted on the terms of this valuation?—This year. The report of Committee No. 3 on the subject is as follows:—

* Your committee beg leave to report that they have received an application from Mr. Henry Rochford, &c., for a new lease of his premises in City-quay and Paternoster-lane, of which he is occupier for many years.*

The following is a copy of Mr. Rochford's application:—

* To the Right Honourable the LORD MAYOR, ALDERMEN and Councillors of the City of DUBLIN CORPORATION.

* Gentlemen,—I am desirous of a renewal of my lease of the holding on City-quay and Paternoster-lane, known as "Precious Clack's building." A E 101, the present rental of which is £23 6s. 8d. It has been lately valued by Messrs. Birmingham and Gale, per order of your Committee No. 3, by a full description of same by your law and lease agent, Francis Morgan, Esq., and a map drawn your agent. The Messrs. Birmingham and Gale, after a personal examination of the premises on several occasions, valued the rental at £64 per annum for a thirty-nine years' lease.

* I am anxious to take a lease of thirty-nine years at the rent they named, £64, or, if you grant me a lease of seventy-five years, at the same amount of rent, I will re-build at my own arbitrary choice.

* I am, with much respect, yours faithfully,

—HENRY ROCHFORD, City-quay.*

The following is a copy of Messrs. Birmingham and Gale's valuation:—

* Valuation of PREMISES, Nos. 24, 25, and 26, CITY-QUAY, in the city of Dublin, the seats of the Corporation of Dublin.

* A E 101, Clack's building, City-quay—By Birmingham and Gale, 1876.

* We have examined these premises, as marked on the map forwarded to us, which we herewith return with this valuation. The buildings on the plot of ground extending from the City-quay to Gloucester-street, north, and along the east side of Paternoster-lane, are very old, with the exception of the large, which is not so old as the other buildings, but which is nevertheless built from forty to fifty years. All these buildings, with the exception of the house No. 26, City-quay, are in the immediate occupation of Mr. Rochford, and used by him for the purpose of his business. The house No. 26 is in the occupation of an under-tenant. The entire buildings are of a very palatable character, and would require a constant outlay to keep them in anything like tenable order.

* Taking into consideration the position of this building, and keeping in view the circumstances to which your attention has been directed in Mr. Morgan's letter of 31st Inst., and also having in mind the dilapidated condition of most of the buildings, we consider that the plot of ground, with the buildings, should produce an annual rent of £64, on a lease of seventy-five years from expiration of the present lease in 1876. The buildings are so old, and require such constant outlay to uphold them, that in point of economy it would be better, from time to time, to take down the greater portion, with a view of rebuilding; but in justice the tenant is making such an outlay as this would entail, he should have a term of at least seventy-five years.

* The annual value of the dwelling holding for a term of thirty-nine years from expiration of existing lease in 1878, would be £20. This term would not be sufficient to warrant an expenditure to put the premises in permanent repair, or to induce the tenant to make any additional outlay in building. There would therefore be a necessity for a constant outlay in upholding the buildings already existing in a deplorable state, which would of course lessen their value to an occupying tenant.

DUBLIN
APRIL 24, 1877.
—
Mr. John
Newwood, CLERK.

In 1870.
Apr 25, 1871.
Mr. John
Norwood, 11, 12.

"The portion of the original building lying on the south side of Gloucester-street, and extending along the east side of Paterson's lane for a distance of nearly-eight feet, as shown on the map consists of a yard, with an old engine-house and shed. The buildings on this plot are also old. We consider the annual value of this portion, as a lease for seventy-five years from expiration of the present lease in 1878 to be £26, and the annual value for a term of thirty-one years to be £14. The term of thirty-one years is the one which would also be insufficient to induce a tenant to make an outlay sufficient to put the existing buildings in a permanent state of repair, or to make any additional buildings."

"11th November, 1870."

"BRASSINGTON & GALE."

The following is a copy of the city architect's report:—

"40, Stephen's-Green, Dub.

"August 6th, 1870."

"Gentlemen,—I beg to inform you that, in your order of 17th ult., I communicated with Mr. Rochford, and at his request examined the buildings in his possession on City-quay, and in the lower part of Paterson's-lane, and I have supplied him with estimates, in detail, of the cost of re-building same, which, in my opinion, should be done, as the buildings are very old and decayed."

"The cost of the whole work will amount to a sum of £2,151 15s. 3d."

"I am, Gentlemen, your obedient servant,

"JOSEPH S. WELLS."

"Your Committee now recommended the Council to accept Mr. Rochford's offer, and to approve of the memorial submitted, and send the City Clerk to attach thereto, and forward to the Lords of the Treasury for their assent."

I will now state to you the order of Council upon that. The Committee did not recommend a lease for thirty-one years, or a lease for seventy-five years, but they recommended that Mr. Rochford's offer, with his alternative (Mr. Rochford expressing his readiness to take either a thirty-one years or a seventy-five years' lease) be accepted."

64. That left it entirely to the Council to make their own selection between the two periods!—Yes. Well, on the 28th of December, 1870, the Council met and made the following order, on the report of the 16th of October, which I have read. It was moved and seconded:—

"That this report be adopted, and that the memorial be forwarded to the Lords of the Treasury for their assent to a seventy-five years' lease."

Well, the statutable month having elapsed, and the usual notice having been posted up and published, the memorial was forwarded to the Lords of the Treasury, from whom we got a letter enclosing Mr. Morgan's letter. We received that letter upon the 9th of December. On the 8th of December, the Council held a meeting, and:—

"The Town Clerk read a letter from the secretary of the Treasury transmitting a letter from Francis Morgan, law and land agent of the Corporation, in re Rochford's building. The letter was as follows:—

"Treasury Chambers, 5th of December, 1870."

"My Lord,—I am commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith, for your information and guidance, with reference to the memorial dated the 15th of October last, copy of a letter from Mr. Francis Morgan, protesting against the proposed lease of property granted to Mr. Rochford, and I am to request that any Lord may be favoured with the observations of the Town Council thereon."

"I am, my Lord, your obedient servant,

"WILLIAM LAW."

That letter was addressed to "The Lord Mayor of Dublin." Mr. Morgan's letter is as follows:—

"55, Queen's-street, Dublin, 28th November, 1870."

"To the Lords Commissioners of Her Majesty's Treasury, Whitehall, London."

"My Lords,—I respectfully direct your attention to the Dublin Freeman's Journal newspaper of the 15th instant, containing Parliamentary notice for the Session of 1871, of 'Dublin Improvement Act Amendment Bill, 1871,' which notice describes a project (marked in red ink) for widening Paterson's-lane, from City-quay to Townsend-street, including the removal of buildings on ground forming part of the Corporation estate in the occupation of John Rochford and Son. I am to advise you, that all that ground in the occupation of the Messrs. Rochford is part of the estate of the Corporation of Dublin, known as their Ancient Burying, and now held by Mr. John Rochford, a member of the Council, under lease, Ancient Revenue 105, made in Queen's Charter in 1780, to hold for ninety-nine years at £105 6s. 3d. present currency, such lease being now held by John Rochford, who has surrendered the Corporation

for a new lease for seventy-five years, to commence from the expiration of the existing lease. I have already, as I say and had agent of the Corporation, called the attention of the proper Committee to the proposal of renewing these rights over their grounds in the case of the construction of a bridge or tunnel across the Liffey—the south of Paterson's-lane—a very desirable and profitable public improvement. My notice was disregarded, and Mr. Rochford has lately presented a memorial to be presented by the Town Council for the amount of four pounds to grant a new lease. I have, on the 15th inst. to forward the memorial, having charge of the said memorial, and have also a written report to the members of No. 2 Committee, having charge of the said memorial, advising them that the memorial for your Lordship's assent should be cancelled. My letter and report to Committee No. 2, have been disregarded, so I now as a member of the City of Dublin, object to the granting of a lease of seventy-five years to Mr. Rochford of ground which, when heretofore reported for improvement, according to printed notice published on the 17th instant, should be repurchased at a very high price. Moreover,

"I have the honour to be, your obedient servant,

"FRANCIS MORGAN."

It was moved:—That this letter be referred to No. 2 Committee to report."

65. Can you give me Mr. Morgan's letter to the town clerk, and also the letter to the committee?—I can. I should explain with regard to that notice for the Dublin Improvement Bill, that I think that notice was being framed for lodgment according to the standing orders of Parliament."

66. Was there not a new street projected, and would not these premises have been in the line of the proposed street?—Yes. It would have gone down through Mr. Rochford's premises. However, that part of the Bill was subsequently withdrawn, and instead the Bill has fallen through for the present. Then upon the reference to No. 3 Committee they made the following report, and forwarded the following draft copy to the letter of the Lords Commissioners of Her Majesty's Treasury, the Council having ordered on the 28th of December, 1870, that this letter be taken as read a first time, and that it be printed and circulated in the meantime amongst the members. The letter is as follows:—

"Town Clerk's Office, City Hall,

"Dublin, January, 1871."

"To WILLIAM LAW, Esq., Secretary to the Lords Commissioners of Her Majesty's Treasury."

"Sir,—I am directed by the Lord Mayor, Aldermen and Burgesses of the City of Dublin to acknowledge the receipt of your letter of the 5th of December last, enclosing copy letter under date the 24th November, 1870, of Francis Morgan, Esq., law agent to the Corporation, addressed to and requesting that their building may be purchased with the observations of the Town Council thereon."

"The memorial adopted by the Town Council at their meeting held on Monday, the 16th day of October last, and already forwarded to you by me on the 25th November last for consideration of their building, submitted herewith the same memorial, accompanied with the several objections which Mr. Rochford's letter and himself have for many years held under the Corporation, and wherein they have in substance asserted on their building for the last forty-five years."

"Mr. Rochford's lease being within a few years of expiration, viz., 25th March, 1875, he applied by memorial to be back in 1869 to the Corporation for a new lease for seventy-five years, in order to enable him (he undertaking to do so) to rebuild the premises for the purpose of his trade, and to take a lease at a rent commensurate with the (present) value of the premises."

"Mr. Rochford renewed his application from time to time, but Committee No. 3, being divided as to whether power be given under the circumstances, had a case before the Town Improvement Ground (now Mr. Justice Hardy), who was of opinion that said the Town Council should have obtained valuation of the 55th by-law (which law the terms of said, under the 3rd and 4th V. 1870), they could not legally grant to Mr. Rochford the lease he required. A copy of the case and opinion is herewith sent."

"As at this period many of the tenants of the Corporation were similarly inconvenienced with Mr. Rochford, requiring renewal of their leases at the approaching expiration of same, for the purpose of rebuilding and improving their respective business premises, the Corporation deemed it right to seek a modification of the 55th by-law to meet the exigencies of all such cases. The Council had, therefore, a notification of the by-law proposed, and their assistance had been given to it, pursuant to the statute, submitted same for the approval of His Grace the then Lord Lieutenant of Ireland, who was graciously pleased to approve of same on the 7th day of March, 1870. (Copies of the said and amended by-law are herewith sent)."

"Mr. Rochford renewed his application on the 13th of November, 1870. Mr. Morgan, law agent, laid before the Committee No. 3 the valuation made by Messrs. Brunnington and Gale of the present annual value of the land and buildings, and these premises estimated the future rent fairly payable out of said building to be £125, and

£30 for each lot respectively. Mr. Rockford agreed to extend a considerable sum, about £1,100, in rebuilding the premises.

Committee No. 3, having finally considered Mr. Rockford's application, by an order (under date 2nd September, 1876), recommended the Council to accept his offer, and directed the Commissioner, accompanied by the report of Messrs. Buxington and Gale, and all other documents connected therewith, to be forwarded to the consideration of the Council.

It is to be observed that Mr. Rockford was a tenant, holding under the Corporation for many years before he was elected a member of that body.

The Committee No. 3, in dealing with Mr. Rockford's application, adopted Her Majesty's usual course in all particulars as has been pursued in the case of every tenant of the Corporation who has applied under like circumstances for a renewal of his lease, under the provisions of the 55th bye-law, as amended as aforesaid.

The Town Council having had the application under consideration for some time, passed a resolution on the 10th day of October, 1876, "that the said report of No. 3 Committee should be adopted, and that the memorial be forwarded to the Lords of the Treasury for their consent to a seventy-five years' lease."

Pursuant to the statute 3 and 4 Vic., cap. 126, it was necessary to return the memorial in my office for some time, action thereof being pending on the outer gate of the City Hall; this memorial was on the 14th November, 1876, but before the agreement was ready for consideration, Mr. Morgan, on the 21st day of November, 1876, served the same referred to in his letter to his lordships. The committee declined to assent to Mr. Morgan's recommendation, because as there was no probability of the effectuation of such a project as the widening of Paterson's-lane, or the building of a canal or new bridge in connection therewith, as the Port and Dock Board have in the last session of Parliament obtained an Act (The Port and Dock Board, Dublin Act, 1876) authorising the construction of a new bridge higher up the river, and in a different position from Paterson's-lane and Mr. Rockford's premises.

The fact appears to the Council to justify the resolution of the Committee in declining to assent to Mr. Morgan's report.

The Committee No. 3, on all occasions in which matters connected with this application came before them, considered the same and reported with the utmost care and attention.

I have the honour to remain, Sir, your obedient servant,

WILLIAM G. HERRI, Town Clerk."

67. When was that letter adopted by the Town Council?—On the 26th of January, 1877, and it was forwarded to the Lords of the Treasury as the reply of the Corporation.

68. When was it forwarded? Under what date?—It was directed to be forwarded on the 26th of January, 1877, and I take it it was forwarded immediately afterwards.

69. It is dated January, 1877, without any date being given—that is why I ask the question?—I perceive now that that is so. Then the next I find with regard to that holding is at a meeting of the Council, held on the 9th February, 1877. (Reads):—

"Letter read from Lords Commissioners of Her Majesty's Treasury, granting lease for seventy-five years, at a rent of £64 per annum, to Henry Rockford, esq., &c., and proposal from Messrs. Mossell and Mitchell for portion of said premises."

The letter from my Lords is as follows:—

"Treasury Chambers, 6th February, 1877.

"My Lords.—Adverting to the Town Clerk's letter of the 27th ultimo respecting the renewed lease of certain property proposed to be granted to Mr. Rockford, I am directed by the Lords Commissioners of Her Majesty's Treasury to signify to you their approval of the lease being granted to the above-named gentleman for a further term of seventy-five years from the day of expiration of his present lease, viz., 24th March, 1879, of the premises now occupied by him, and known as Nos. 34, 35, and 37, City-road, Dublin, being portion of the separate property, as at several rent of £64, and on condition that the lessee represent a sum of not less than £1,155 in rebuilding and providing in accordance with the city authorities' plans, as stated in the memorial from the Corporation, dated 16th October last, and as recommended in the report from the Commissioner of Valuation for Ireland of the 18th ultimo."

70. Buxington and Gale's valuation recommended a thirty-one years' lease only, at £64. How came the Lords of the Treasury to approve of a lease at that, the lower rent, for the longer term?

Dr. Newman.—That was after they had got a valuation from Mr. Ball Greene, Chief Commissioner of Valuation in Ireland; we did not know of that valuation. The letter concludes thus:—

"The formal sanction of this lease will be obtained by two of my Lords being made parties to the deed, a draft of which will be forwarded to their solicitor at this office for perusal."

I suppose the fact was that the interest on the £1,155, or whatever was supposed to be the interest on an expenditure of the kind, was considered in the lease.

71. But Buxington and Gale proposed that he should pay £75 for one portion, and £20 for the other, upon a lease for seventy-five years, and that he should expend the £1,155 besides.

Dr. Newman.—No. 3 Committee wish to lay everything before you, and this is the only case in which any question was ever raised about the matter. A letter, dated 8th February, 1877, was received from Messrs. Mossell and Mitchell. These were gentlemen who had been occupying portion of the premises, which you will see in the small schedule. I think it is the portion that Buxington and Gale valued at £20.

72. The whole that Rockford and Mossell had put down in the rental at a rent of only £23 6s. 2d., and in the proposal of Messrs. Mossell and Mitchell for the part occupied by them in Paterson's-lane their rent is stated to be £23 6s. 2d. also. Therefore, I presume these people paid H. E. Rockford the full rent he paid to the Corporation?—That is what they say. Their letter is as follows:—

"72, Townsend-street, Dublin, 26th February, 1877.

"GENTLEMEN.—Referring to our former proposal (22nd January, 1877), to take a lease of the premises in Paterson's-lane, at a rent of £45 per annum, we have, since we learned that the stables and loft included in the said proposal, and not in our former proposal, are not the property of the Corporation. We now beg to propose to take a lease for a term of seventy-five years, at a rent of £40 per annum, of the premises now occupied from 1816 to 1825, including the stables and loft, and we also undertake to expend the sum which your certified valuation may require for improvements, taking into consideration the locality and the requirements of our business."

"We are, gentlemen, your obedient servants,

"MOSSELL, MOSSELL & CO."

"Moved by Councillor Deane, seconded by Alderman Harrison: That the letters just read be referred to the committee of the whole house, with instructions to return the Lords of Her Majesty's Treasury, that as the memorial with reference to the new lease is opposed to be granted to Mr. Henry Rockford, transmitted to the Council, was accompanied by a report of Messrs. Buxington and Gale, in which the letting value of the said premises on a seventy-five years' lease, was stated to be £23 per annum, the Council should not be justified in granting the said premises to any tenant at a less rent, and that said memorial did not offer £64 a year, or any other sum, as the value of the said premises, but merely proposed that their lordships would appoint a sworn valuator to fix a fair amount of annual rent, to be approved of by your lordships, to be reserved as a standing rent in such new lease, and that the Lords of the Treasury suspend all further action in the matter until the decision of the Council be laid before them." Question put, when amendment moved by Councillor Byrne, seconded by Councillor Rockford: That this letter be referred to Committee No. 3, to have the necessary lease executed, in pursuance of the bye-law, at £25 per annum, the valuation of Buxington and Gale, or set forth in their report." Question put, as amendment, when the Lord Mayor called it out of order. Original question put, when the Lord Mayor declared it out of order also.

"Moved by Councillor Byrne, seconded by Alderman Grogan: That these letters be referred to the committee of the whole house for consideration and report, the committee to sit to-morrow at half-past two, and that the press be invited to attend." Question put and carried."

I may mention that up to the period when Mossell and Mitchell sent in their statement, Committee No. 3 had never heard of these gentlemen before as connected with the premises. On the 16th February, the committee of the whole house met, and I now read from the minutes:—

"Jere Rockford's holding. Moved by Councillor Byrne: Councillor Rockford to get a lease of the premises from City-road to South O'Connell-street for seventy-five years, at a rent and outlay to be fixed by the city architect as to outlay, and by Buxington and Gale, as to rent, and that upon execution of the said lease, the lease now in existence shall be by him surrendered. The year period South of Gloucester-street to be then leased to Messrs. Mossell and Mitchell upon like terms and conditions." Question put, when amendment moved by Councillor Rockford: That the committee adjourn to Saturday next, at half-past two o'clock, to receive any memorial Councillor Rockford may send in." Question put on the amendment and division taken, when it was agreed—Ye, 8; against, 12. Amendment declared lost. Original question put and carried."

73. That leaves the question of rent and outlay open in both cases?—It became necessary, Mossell and Mitchell having got a lease.

74. Is that communicated to the Lords of the Treasury in reply to their letter?—No; nothing more has been done that I remember, and so the matter remains.

75. So that there has been then no reply to the

Dublin.
April 26, 1877.
Mr. John
Newman, &c. &c.

DEBATE.
April 24, 1877.
Mr. John
Barrow, M.P.

Lords of the Treasury?—Nothing was done, because Mr. Rochford served notice upon the Lord Mayor, on the part of the Corporation, stating that he would take steps to enforce specific performance of any agreement, or the agreement which he alleged as set forth in the memorial to the Lords of the Treasury.

76. Is that how the matter stands now?—Yes.

77. The Corporation would give no lease at £24, but would they at £20?—Yes.

"For seventy-five years, at a rent and survey to be fixed by the City architect in to satisfy, and by the Registrar and Clerk as to rent, and upon the execution of the said lease, the one, now in existence shall be by him surrendered."

78. Yes, that was the resolution passed, but you say nothing was done upon it because of Mr. Rochford serving notice to compel specific performance of the recommendation forwarded to the Lords of the Treasury, which, as sanctioned by them, he certainly, would give him the whole of £24?—On the 31st March, 1877, Committee No. 3 met.

79. Is Mr. Rochford a member of No. 3 Committee?—Yes. I read from the minutes of the committee:—

"Best notice of Henry Rochford, esq., in reference to his holding an 40th year, calling on the committee to grant him a lease within one week from the date of notice, appeared in letter from Lord Commissioners of Her Majesty's Treasury.—Whereas the Lords Commissioners of Her Majesty's Treasury have signified their approval of a lease being granted to me for a further term of seventy-five years from the day of expiration of my present lease, viz., 23th March, 1878, of the premises now occupied by me, and known as Nos. 35, 36, and 37, Orr-quay, Dublin, at the yearly rent of £24, on condition that I should expend £3,100 in rebuilding said premises, in accordance with the City architect's plans, as stated in your memorial, dated 16th October, 1874. And whereas the said agreement so agreed on had been previously agreed to between you and me, subject to such approval, I hereby inform you that I am ready and willing to carry out such agreement and agreement on my part, and to do all things which are reasonably required by you for that purpose, and I hereby request you, within one week from receipt by you of this notice, to furnish to me in my address, Mr. John Lawless, of 6, Upper Grosvenor quay, Dublin, a draft lease carrying out said arrangement and agreement, or in the event of your refusing or declining to carry out said arrangement and agreement to state that you will do so, and will not require me to furnish or tender to you for attestation the endorsement of a lease, prepared in pursuance of the said arrangement and agreement before filing a bill to enforce specific performance of the same, as I am advised to do in the event thereof."

The order of No. 3 Committee upon that is, "Refer to law agent to report." The law agent has been ill ever since, and there the matter remains.

80. Has there been no communication with the Lords of the Treasury since you received that letter?—We sent the letter which I have read to you.

81. Since you wrote that they have said they would be prepared to sanction these two leases to Mr. Rochford at £24, and upon receiving that on the 9th February last, you also received this application from the sub-tenants, Messrs. Mennell and Mitchell, and you came to the resolution just read. Has no further communication taken place between you and the Treasury to let them know how matters stand now?—No, because we are awaiting the reply of Mr. Morgan.

82. You are placed in rather an embarrassing position. I suppose the recommendation to amend the by-laws emanated from No. 3 Committee in the first instance?—It emanated from No. 3 Committee, because Mr. Morgan for many years was anxious that the by-law of 1851 should be completely repealed. No. 3 Committee did not recommend that course, because the 55th by-law was a protection to the public and to the Corporation, and enabled them to deal fairly with all parties concerned, and they thought a modification, dealing only with the cases with which it now deals, was a fair way of dealing with the matter, and quite sufficient for the exigency of the case.

83. But, as a matter of fact, that emanated from No. 3 Committee?—Yes; and by the Council it was considered and modified in the same way, and sent to His Grace the Lord Lieutenant.

84. Were there any other gentlemen, interested in these leases falling in, upon that Committee?—There are, I think, only five members of the Corporation

who hold corporate property; and, with one exception, they don't hold directly.

85. Then, they would be interested as occupying tenants?—There are only three who are interested in the 55th by-law. One of them is Alderman Manning, another is Councillor Rochford, and the third Alderman Harris. Alderman Harris, I may mention, holds in succession to his father, who occupied the premises which Alderman Harris now occupies for thirty years, and long before he was a member of the Council. The his father was a member of the Council for two years, and the present alderman has only been a member since his father's death. Alderman Manning also was in occupation long before he became a member of the Council. It was the same way with Councillor Rochford. Councillor Dockrell, who now holds directly from the Corporation, came into possession of the premises by purchase, and before he was a member of the Council; and after the premises came into his possession the lease expired, and it was renewed upon revaluation also.

86. He then has had a direct renewal of it from the Corporation?—Yes.

87. Can you refer me to that holding on the rental?—Yes; it is 47 and 48, Lower Stephen-street.

88. He got a lease, I see, in 1872, for seventy-five years?—Yes. The original lease was to John Holmes.

89. There were two holdings, and they are both entered under one number (40). "To Thomas Dockrell, under lease for seventy-five years, at the rent of £32." I remarked this, when looking over the rental before coming into court, because it struck me as very peculiar. These two houses were let before upon a thirty-one years' lease, to John Holmes, one of £31, and the other at £31, and now the same two houses have been let to Mr. Dockrell for £30.

90. Alderman Harris.—The thirty-one years' lease was not a building lease. The houses may have been old and dilapidated; still the rent is very low.

91. Mr. Curtis (City Treasurer).—These houses were not set up to auction, as they were in a dilapidated condition, and it was almost impossible to get a bidder for them at all.

92. CHAIRMAN.—Was Mr. Dockrell a member of the Town Council in 1872?

Dr. Norwood.—He was.

93. And was he sub-tenant or assignee of those holdings?—Yes, he had been for some time; I say, I think, just as well include every case in which any members of the Town Council are mentioned.

94. You said there were five members who hold corporate property. You have mentioned four. Who is the fifth?—Mr. Dolan. He is assignee of a lease of premises in Thomas-street, formerly held by Sir John Power. He is the more assignee of the lease.

95. There was a lease I see granted to him in Michaelmas, 1874, for twenty-eight years?—Not to him, sir, but to a man named Nowlan.

96. Then he is you say, merely the occupier under Nowlan, at £40 5s. 4d.?—And I observe I had already underlined the case for inquiry, seeing that the Poor Law valuation of the house is £20.

97. Mr. Curtis.—When the premises were originally let in 1791, the property was of very little value compared with what it is now. This valuation is not the valuation made in 1791, but very recently. The original lease has a clause for perpetual renewal, and Mr. Nowlan obtained a renewal, pursuant to the covenant therein, and although the premises may be valued at £20 the original rent must be preserved in the renewal.

98. But I observe that the lease is not to James Nowlan, but to Patrick Dolan?—I had better explain that communication lease.

99. What I drew attention to is the renewal to the Town Councillor himself (lease produced by Dr. Norwood). Was that lease made with the sanction of the Lords of the Treasury?—Yes; and it was changed from a lease for lives into a lease for years, and it was considered expedient to do so for this reason.

There being a number of leases for lives of persons at a distance, the Corporation found great difficulty in ascertaining the existence of some of the lives in the parties were in Australia, America, and elsewhere. They therefore determined to grant what were called commutation leases; that is to say, leases for a term of years, to be calculated by a sworn surveyor, equal in value to the lease for which they were for the youngest life in being. This lease to Mr. Dolan is in possession of that, and although the premises are valued at £80, the rent could not be increased as he is entitled to the benefit of the old lease. That is the explanation with regard to Mr. Dolan.

100. Are these then the only five members of the Corporation who are interested in corporate property, either as direct lessees, assignees, or sub-lessees?—There is another. Mr. Gurin who has the premises in Thomas-street also.

101. John Gavay?—Yes; he is the occupier under William Jones, who is tenant to the Corporation for ninety-nine years from 1805, so that the lease will not expire until 1904.

102. He is merely the occupying tenant, and the lease does not expire for nearly thirty years. Were not all these others directly or indirectly interested in that new by-law?—Mr. Dolan was not.

103. No, because he had got his lease granted before?—Mr. Dockrell was not, because he had got his lease before the amendment of the by-law. And I have sent for the minute-book of 1872, as to that point.

104. I should like to have some further explanation as to Mr. Dockrell's lease, because while Dolan's lease is a renewal on the old terms, Dockrell's lease is very peculiar for it is a renewal at less than half the rent of the previous lease, and the lease is for a longer period. It is also at less than half the Poor Law valuation?—Mr. Dolan's lease could not be otherwise than on the old terms, as it was a commutation lease. With respect to Mr. Dockrell's premises were in a state of ruin, and we felt that we should have a guarantee for his expending money on them, as they were in the middle of or immediately contiguous to his own property. I have now the minute-book of 1872, and in reference to Mr. Dockrell's holding, I will now read a minute of No. 3 Committee's proceedings, under date 27th April, 1872:—

"Ancient Rents Nos. 225 and 226—Heldens buildings, Nos. 47 and 48, Lower Stephen-street. The proposal of our committee during which these buildings have been the subject of discussion will expire on 27th May next. As I do not expect them to be renewed, I request that the City Surveyor shall prepare a new map showing the present state of both buildings, in order that you may direct the mode for rebuilding, and that the City Architect shall examine them and report if they are capable of being repaired, and the probable repair required to sustain them for thirty-five years, or if the ground should be sold for seventy-five years for rebuilding."

105. Who is that signed by?—Mr. Morgan, the law agent, and the order of the committee is, "adopt report." The next minute on the subject is on the 27th July, 1872, as follows:—

"Law agent's report.—Public Lettings of Corporate property. Advertising by our report of the 4th instant, and pursuant to your committee's minute thereon, I received the following list of corporate property to be advertised. Dublin Corporation Rates.—Lettings by public auction at the City Hall, Cork-street, Dublin, on Saturday, 20th day of July, 1872, at twelve o'clock, noon. The three following portions of the Corporation estate will be set up to the highest bidding, subject to private conditions and the approval of the Town Council, on lease for seventy-five years, from 15th March, 1875, with covenants to erect new buildings according to the estimated plans to be approved of by Committee No. 3, on giving security for the value of the old materials to be used in rebuilding. Lot No. 1.—The plot of ground with the old house known as No. 47, on the north side of Lower Stephen-street, containing about twenty-one feet in front and rear, and about thirty-three feet in depth, with rights of passage to the rear through a gateway adjoining the house No. 48, Lower Stephen-street. Lot No. 2.—That plot of ground with old house, known as No. 46, on the north side of Lower Stephen-street, containing in both front and rear about twenty feet, and in depth about thirty-three feet, with rights of passage to the rear through same gateway. Lot No. 3.—That plot of ground with old house, known as No. 47, on the north side of 27th-street, containing in front about eighteen feet, and in depth about thirty-four feet. And same were accordingly set up for public letting on the 20th inst., in the presence of the Lord Mayor and two other mem-

bers of your committee, on the printed conditions. The two lots Nos. 1 and 2 were separately set up, and Mr. William Burke, of Dumbarton-road, became plaintiff, was the only bidder for them at the yearly rent of £12 each; and for lot No. 3, the plot of ground containing the old house No. 57, Fleet-street, Mr. John Hogan, of Whitewater-street, the only bidder, was the only bidder at the yearly rent of £3. I do not recommend any of these buildings to be repaired for consideration."

The house in Fleet-street was tenanted, and the Corporation having repaired it subsequently, relet it to a tenant. I take it that John Holmes or his representative must have been ejected from the houses in Stephen-street for non-payment of rent. Well, the next entry in reference to the subject is this:—

"The ground 47 and 48, Lower Stephen-street—the late John Holmes' buildings, A.D. 225 and 226.—Mr. William Burke, who had on the 20th instant bid £12 a year each for both of these lots, called at my office on the 25th instant, accompanied by his solicitor, Mr. Colclough, and stated he would accept a lease for each on those lots at £12 a year each, provided that Mr. Dockrell, who had occupied the premises in the rear on an under-lease of the late John Holmes, would accept a sub-lease of some portion from him, Mr. Burke, at £12 a year. Mr. Burke signed a letter to that effect, which I forwarded to Mr. Dockrell, who replied by letter declining that proposition. Mr. Burke has this day called at my office and proposed to take a lease of both lots at £12 a year each. He signed letters of proposal, and deposited £7 10s., a quarter of the last year's rent—£10—for both lots. Mr. Burke has lately erected a well-built new out-let, in which he resides, in Upper Dumbarton-street. I believe him to be an industrious tradesman, and successful in his proposals to be repaired to the Council for acceptance of these lots have been twice set up to public auction. Order.—Refer the whole matter of both these buildings, and all reports and letters to the Council, with a recommendation that none of the buildings be accepted, and that the premises be again set up to be let by public auction."

This minute of No. 3 Committee, under date 27th July, says:—

"And letter from Mr. Dockrell relative to the letting of 47 and 48, Stephen-street, and documents submitted by him. Also report of law agent relative to lettings held on the 20th inst. &c."

"To read Minutes of No. 3 Committee."

"41, Gough-street, Dublin, 26th July, 1872. "GENTLEMEN,—Having received from Mr. Morgan the letter which I enclose, I called upon the Lord Mayor, who informed me that Mr. Morgan stated it was with my sanction and consent that the ground of the two houses, 47 and 48, Lower Stephen-street, were again put up to auction this morning. I may now positively say that I ever gave any such sanction or consent of any kind to Mr. Morgan. On the contrary, when he called on me, and stated that as I was a member of the Council he was directed by the committee to put up those two lots again to public auction, and he hoped I would sanction and let, as usual some one to bid for me, I positively refused, and I again repeated my refusal on his second visit, as I felt annoyed as being treated unbecomingly, and he is a different man from anyone else, as I thought having been declared the highest bidder, and having signed the agreement, and paid a deposit, I understood the matter would have been reported to the Council, by whose sanction I was proposed to do so. I take exception to the course Mr. Morgan has thought proper to pursue in the matter, by making a statement to the committee he was not authorized by me to make. I will ask you kindly to investigate it, and, if necessary, be prepared to report this statement in your presence, or in any other way you suggest."

"Yours faithfully,

"THOMAS DOCKRELL."

"P.S.—I may also state, that previous to my attending the sale I asked the opinion of a competent person, to make up my mind as to the fair value of the ground (considering that it will require an outlay of nearly £1,000), which was 1 bid."

106. That refers to another auction. The first auction which you read about was evidently subsequent to that one to which Mr. Dockrell refers?—Evidently. Now here is Mr. Burke's letter, and Mr. Morgan's letter. The latter is as follows:—

"City Law Agent's Office, 35, Dawson-street, Dublin, 25th July, 1872."

"Thomas Dockrell, Esq., &c."

"Dear Sir,—Mr. William Burke, who on Saturday last, 20th instant, bid £12 a year each for the above buildings, including the portion occupied in part as your studios, has just called here with his solicitor, Mr. Colclough, and written the enclosed letter, which please read and return to me this day with a few lines stating whether you will accept a sub-lease of your portion from Mr. Burke, or take a lease of both lots from the Corporation for seventy-five years, at £12 a year each."

"In the enclosure, I enclose, dear Sir, your very truly,

"FRANKLIN MORGAN."

"I also enclose with this, for your inspection, the map as prepared from a recent survey."

DEBATE.

April 28, 1877.
Mr. John
NORWOOD, LL.D.

"City Law Agent's Office, 35, Dawson-street,
25th July, 1872.

"Sir,—I hereby propose to become tenant to the Corporation of
Dublin for numbers 47 and 48, Lower Stephen-street, at a rent of
£10 a year each, for a term of seventy-five years less six months—

"WILLIAM BUCKLE, Temple-cottages,

"Upper Donnell-street, Dublin.

Francis Morgan, Esq., Law Agent, Dublin Corporation."

107. Mr. Dockrell declined to concede to that proposition.—Yes. He wrote the letter of the 25th July, which I have read; and writing again on the 27th he says:—

"41, South Great George's-street,
Dublin, 25th July, 1872.

"TO THE MEMBERS OF NO. 2 COMMISSION.

"GENTLEMEN,—In writing to you yesterday I was not aware that Mr. James Burke had been tenant to the Corporation in 1855, for the ground on which the house No. 30, Lower Stephen-street stood, at a rent of £10 a year, which is allowed to have the same privilege of right of passage through the lane as those which I bid for, at the same rent, £10 a year each, although property in that street has depreciated in value fully twenty per cent. since 1855.

"Yours faithfully,

"THOMAS DOCKRELL."

There is a further report from the law agent made date 28th August, 1872, as follows:—

"Ancient Revenue 325 and 363—[The Duke's building—47 and
48, Lower Stephen-street.

"Addressing to my report of the 25th ult., and to the committee's minute thereon of the same date, I have further to report that I had by letter of the 25th ult. applied Mr. Thomas Dockrell, v.c., of the solicitors of your committee's solicitors of the 27th ult., and returned to Mr. Dockrell in written form of agreement, dated 25th June last, and his cheque in favour of the city treasurer for £5 deposit, one-fourth of his bid of £10, made on the latter day for both the above lots of ground on building lease for seventy-five years. The two forms of agreement and cheque have been sent back to me, with a letter from Messrs. Millar and Watson as witnesses for Mr. Dockrell, herewith submitted, stating that Mr. Dockrell will reserve to himself the right to act as he may be advised. I have also applied Mr. William Burke, who had bid £10 per year for each of said lots at the auction, and subsequently proposed £15 a year for each, of your committee's decision of the 27th ult. Mr. Burke called at my office yesterday, and signed a receipt for his deposit money £7 10s., which I have returned to him at his own request. I have further to report that on the 2nd inst. I attended to inspect the above buildings, accompanied by Mr. John Glynn, clerk of the Corporation works, with a view to ascertain whether of the two front houses Nos. 47 and 48, Lower Stephen-street should be taken down, and their materials piled at the expense of the Corporation previous to the ground being cleared for rebuilding as building lease, or whether the old materials would repay the expense of removal. Mr. Glynn says that he has no opinion that the probable expenditure of about £500 on permanent outside repair on the front of both houses, including new fly-doing of each would render such buildings scarcely to be let for less than for thirty-one years. I have, therefore, shared counsel with Mr. A. B. Butler, city architect, who agrees with Mr. Glynn's opinion generally as to the extent and urgency of such outside repairs, namely, that No. 47 being in better order, that No. 48 will cost £1100, and No. 48 being more dilapidated will cost £2200. I have no doubt that 2 per cent. on No. 47 would yield at from £200 to £250, and No. 48, viz., at from £225 to £250, and that the estate at the rate as to the acquisition of Mr. Dockrell's under-tenant of the late John Burke, would not separately at from £100 to £120 a year on lease for thirty-one years. According to the opinion of the Right Hon. Abraham Horner obtained in 1862, the Corporation can with the consent of the Council legally apply the borough fund in repairing and maintaining buildings similar to the above owing to their actual possession upon the termination or expiry of lease."

108. Mr. Morgan's report is therefore to the effect that those premises would, by the expenditure upon them of £500, yield for from £70 to £80 a year for thirty-one years.—Yes. Mr. Morgan continues:—

"I therefore advise the exercise of that power by your committee directing the city architect to furnish specifications of the outside repairs necessary to enable such of the two front houses Nos. 47 and 48, Lower Stephen-street for thirty-one years, and who to state the probable expense of such repairs, and that same be made with the sanction of the Council by contract after public advertisement; or with greater certainty or clarity under the direction of the clerk of works; and that your committee may fix such sum—not less than £200 per year—for rebuilding the two houses in the rear of Nos. 47 and 48, as is likely in the opinion of Mr. Dockrell in case he shall propose to accept a lease of same for thirty-one years from 25th March last, next to commence from the 1st June last. Mr. Dockrell's tenancy (being for six months pending redemption) having expired on the 25th May last, since which he has returned in charge as caretaker for the Corporation. But if your committee shall not recommend the houses to be repaired, and sold for thirty-one years, I adhere to the opinion expressed in my report of the 25th June last

that the ground comprised in each of the above lots is worth £15 a year each on building lease for seventy-five years, with the rights of passage.

"NOTE.—Mr. Dockrell has constructed a strong gate, fenced on the inside across the common laneway under the house 40, Lower Stephen-street at a distance of about thirty-three feet from the front or flagway, and so enclosed the southern portion of the laneway and passage to the rear of the houses 47 and 48. If Mr. Dockrell shall not become tenant to the Corporation, that gate must be removed thirty feet southward, or a constant passage given through it."

"Order—Report read."

109. It stood thus then.—Mr. Dockrell had bid £25 a year on a preceding occasion for the two houses—then Mr. Burke bid £21 at the second auction, and he subsequently offered £30.—Quite so. In his report of the 4th July, Mr. Morgan says:—

"I have to report that the following lots of Corporation property advertised to be let by auction on Saturday the 25th June, were put up on that day in public competition in the presence of the Lord Mayor and several members of your committee: Lot 1, No. 47, Lower Stephen-street, Lot 2, No. 48 same street."

He adds:—

"Mr. Thomas Dockrell, v.c., was the only bidder for lots 1 and 2, for which he offered £20 a year each. There was no bidder for lot 3 (West street house). I don't recommend the bidding for lots 1 and 2 to be reported for confirmation without being again advertised for public auction, and for this reason:—Having regard to the frontage, and the depth, and the right of passage of lots 1 and 2, I believe each of them worth at least £15 a year. Mr. Dockrell, the only bidder, being a member of the Council, I think it better to not their value by another auction, and I feel bound to report that should the auction Mr. Dockrell has expressed to me his perfect willingness to have these lots set up again without the least possible delay. As there was no bidding for lot No. 3 that too will be advertised. I therefore request your committee to fix a day for another being by auction."

110. Well, we have had it from you that the committee ordered another letting, and at the second auction Mr. Burke—the only bidder—offered £12 a year for each. He subsequently, it appears, went to Mr. Morgan's office, and offered to give £15 a year each, provided Mr. Dockrell accepted a lease of the houses, which he had bid, at £12 a year. Then, again, when Mr. Dockrell declined, he says he will give the £15 even without that, but Mr. Morgan recommends the expenditure of £500 on the premises, which, he says, would then let for £70 or £80 a year. Now we have the history of the transaction up to that time.

111. Let us hear shortly what next occurred?

Mr. NORWOOD.—Under date the 7th September, 1872, the following report from Mr. Morgan appears in the minute-book:—

"Lettings.—Stephen-street. I have received notification from the town clerk that upon Monday last the 2nd inst., the Town Council made an order to grant to him Mr. Thomas Dockrell two lots of ground—late John Burke's building—47 and 48, Lower Stephen-street, at a rent of £20 and £25, for seventy-five years for building at a rent of £10 each lot. I request that I may be at liberty to submit a draft lease in council, on behalf of the Corporation, to find whether a valid lease can be granted by the Council, and accepted by Mr. Dockrell, he being a member of the Council."

"Order—Adopt report. Solicitor-General to be consulted."

112. Let me have that minute of the Council's proceedings on the 2nd September, 1872. Mr. NORWOOD.—Here it is.

"Read report from committee No. 2 in re the lettings of the premises Nos. 47 and 48, Lower Stephen-street. Your committee do request that on the 25th June your committee, pursuant to resolution, hold a meeting of corporate property for public competition. Amongst others the old houses Nos. 47 and 48, Lower Stephen-street, were advertised to be let on lease for seventy-five years from 25th March, 1873, with consent to erect new buildings, according to approved plans, on giving security for the value of the old materials to be used in rebuilding. Your committee met in the Council Chamber, City Hall, and Mr. Dockrell bid a rent of £10 a year for each lot. Your committee finally declined him the higher building, and directed the offer to be reported to the Council. On the following Saturday, 6th July, your law agent reported as follows:—

Then follows the recital of the whole proceedings you already have.

"Your committee having considered those documents, passed the following resolution, referring the whole matter, both of these letters and the re-letting to the Council, with a recommendation that none of the offers be accepted, and that the premises be again set up by letting by public auction. Moved by Councillor Byrne, seconded by Councillor Donohue, that the letting of these premises, namely, the 25th June, to Mr. Dockrell, at £10 a year each, be confirmed by the Council? Question put and carried."

113. What? Was there no discussion?

Mr. Norwood.—There might have been an hour's discussion.

114. Mr. Deane, &c.—It should be mentioned that Mr. Dockrell had to lay out £1,600 on building on these lettings, and that would make the rent higher than it would seem at first. Mr. Dockrell erected some fine buildings there, and these are a great improvement to the locality, which wanted it very much.

115. Mr. Norwood.—The Council having, on September 2nd, 1873, accepted Mr. Dockrell's proposal, it came before committee No. 3 on September 16th, 1873, and Mr. Morgan then reports minutely on the whole matter. He refers the report to Mr. Dockrell, the plans to be submitted to the city architect for approval, and on his reporting favourably, Mr. Morgan to give possession on Monday. Mr. Morgan adds:—

"I have my report of the 7th instant, the Town Council have unanimously called my attention to the 5th and 6th V.C., cap 156, not included in my collection, which, by sections 1 and 7, reserves all lands, and declares a lease does not count within the meaning of the Act. I have, therefore, amended the expense of seeking rent, as directed on the 7th instant, for the opinion of the Solicitor-General on that question."

And on the order of the Committee we adopted the report, and that appears to have concluded Mr. Dockrell's business.

116. CHAIRMAN.—Even if they objected to let to Mr. Burke at £15 for each house, no notice appears to have been taken of the other suggestion that the Corporation might lay out £300 on the premises and receive £75 a year rent?—There seems to be an objection on the part of No. 3 Committee to undertake works of rebuilding of that character.

117. It would be satisfactory we should have on our notes any explanation the members of the Council can offer on these facts, for at present they stand thus:—First of all, these premises were put up to auction, when Mr. Doolenell, holding certain stables which formed a portion of the premises, bids £10 a year each for these two houses—47 and 48. His offer, on Mr. Morgan's report, was not accepted by the Corporation—Mr. Morgan at the same time informing the Corporation he was willing they should be put up to auction again. There seems to have been a misunderstanding between Mr. Dockrell and Mr. Morgan on this point, and Mr. Dockrell seems to have thought himself ill-treated in having the premises put up to auction a second time. Mr. Burke was the highest bidder at this second auction at £12 a year, and Mr. Morgan again advising that this should not be accepted, Mr. Burke came again to him and said, "I will give you £15, as you will not take the £12 I bid, provided Mr. Dockrell pays £12 for the stables." Mr. Dockrell declined to have anything to do with them, upon which Mr. Burke offered the £15 a year for each lot without further stipulation. Then Mr. Morgan, for the first time recommended that offer be accepted. Subsequently Mr. Morgan goes into the question with the city architect as to what outlay on the premises would be required to put them into tenable condition. He reports the result of that to the Corporation, which is to the effect that if £200 were laid out on one house and £160 on another, they will probably fetch at least £70 a year; and he recommends the Corporation to adopt that course, or failing that to accept Mr. Burke's offer of £15 each for the two. The matter is referred to the Council, the duty given to both these recommendations of Mr. Morgan without any explanation, and Mr. Dockrell's offer of £12 a year each is accepted without note or comment or reason assigned. Therefore, I think it would be advisable for any member of the Corporation who can do so, to throw light on this. Perhaps either Mr. Dockrell may be able to do as himself, or Mr. Deane, on his behalf.

118. Mr. Deane.—You see there is a difficulty in dealing with the question; because, in the first place, whilst the Corporation has a discretion with respect to the disposition of property, they may not wish to state what the reason may have been that would influence

them. We all know in our own private arrangements we might select one in preference to another, and there may have been reasons why the Corporation in their discretion selected Mr. Dockrell, whom they knew to be a man of wealth and position in the city, in preference to a gentleman of whom they knew nothing. And then again the Corporation, or No. 3 Committee that have charge of the property, have always objected for very valid reasons to make any outlay on the property they could avoid, for it is very questionable if such outlay might not be illegal. I know of no law or by-law that authorises such. Under the 3rd and 4th Victoria, the Corporation can dispose of property in two ways:—First, on leases of thirty-one years on houses; and second, on building leases for seventy-five years. They have in my long experience usually, when they found premises in a state of dilapidation and decay, set them on a building lease, with the view of the party building upon them; or they have put them up for letting at a low rent, being selected to take a low rent, provided the party would make a large outlay on the premises—a substantial improvement of the premises. But they have avoided, in all cases, letting their property to a party who might promise to make no outlay and who, after he had absolutely got possession of the property would not do so. In my experience it has frequently occurred that they have made a letting of houses in so bad a state to a party, that they had no security or guarantee, or anything beyond his signing the lease and limiting himself to make a certain outlay on the premises. They have afterwards had to take back these concerns, and lose of course for the time the property had been in occupation; and hence it is that in the exercise of their discretion they have invariably given a preference to a tenant that they had a perfect knowledge was a solvent one, particularly as under the by-law, although it was imperative on the Corporation to put up the premises for letting by auction, they were not bound without consideration and investigation to accept the highest offer; and where the premises are put up a second time for letting and where the tenant has not been accepted, the discretion is given by the by-law to the council or its committee to make a suitable arrangement. In this case, as I have said, the question is confined to this one issue—was the letting to a man of the position of Mr. Dockrell, a wealthy citizen, who was ready to make an outlay of nearly £2,000 on the premises and who did it, a proper letting?

119. CHAIRMAN.—There was no guarantee in his bond to lay out such a sum.

120. Mr. Curtin.—There was no guarantee in his bond to do it. £400 was all the money to be laid out, but it was manifestly the best arrangement that could be made.

Mr. John Byrne (a member of the Council), having arisen to speak:—

121. CHAIRMAN.—Are you the gentleman who proposed this lease to Mr. Dockrell?

Mr. Byrne.—Perhaps I did. The premises have been set up for auction on two separate occasions. On the first occasion Mr. Dockrell was the only bidder; on the next occasion Mr. Burke was the only bidder. I made some inquiries about Mr. Burke. I found he had taken a piece of ground in Dorset-street, and I found he had put on it a wooden house; and I did not think that was the house we wanted in Stephen-street, and I thought that Mr. Dockrell was a better man and I voted for him.

122. CHAIRMAN.—That is then, I suppose, the explanation which you and Mr. Deane wish to offer for the preference given to Mr. Dockrell at the lower rent. Now, Mr. Norwood, will you kindly proceed?

123. Witness.—Then the only remaining member who held under the Corporation is Mr. Deane himself, and he holds premises, at £9 7s 8d, under a lease made in 1741 for lives renewable for ever. Mr. Deane holds that in right of his wife, and I do not think there can be any corruption alleged in that case.

Deane.
April 24, 1877.
Mr. John
Norwood, M.P.

DEANES
April 18, 1875.
Mr. John
Narwood, &c.

I have got here a schedule of all the lettings of corporate property since the present Corporation came into being. Mr. McKoy has called my attention to a letting in 1844 in Kennedy's lease, and of that I could speak of my own knowledge. Luke Butler is the lessee—that gentleman is dead many years; Henshaw and Company are the occupiers. A lease was made in 1844 for thirty-one years, expiring in 1875, at £90 a year, and the valuation is £24.

124. Mr. McKoy.—Now?

125. CHAIRMAN.—It was not let on a building lease, and there is no reason to assume the valuation increased in amount. How is it that, the lease having expired in 1875, there appears to have been no fresh letting?

126. Mr. LAWLESS.—Were Henshaw and Company sub-tenants to Butler?—They were sub-tenants to Butler.

127. CHAIRMAN.—When that lease of 1844 was granted, was Luke Butler a member of the Corporation?—I think so.

128. Mr. BYRNE.—He was an alderman.

129. Mr. LAWLESS.—Do you know, Mr. Byrne, had he been in occupation of these premises before 1844?—No; my recollection does not carry me so far as that.

130. CHAIRMAN.—What we want to find out is what was done with these premises at the expiration of Butler's lease in 1875?

131. CHAIRMAN.—They were let to Henshaw and Company at the auction. I have got here—

"Letting by auction pursuant to advertisement."

(I read from the minute-book of Committee No. 3, under date 30th December, 1875.)

"The Committee attended in the Council Chamber at one o'clock, and put up the following lots—No. 1, building known as 15, Kennedy's house, as lease for seventy-five years—tenant to build six houses four stories high, at cost of not less than £300, in twelve months. Bidder, Alfred Hennessy—£10, &c. Order: Decline Mr. Hennessy, the highest bidder, tenant at £10."

That letting must have been reported to the Council afterwards; and here, I take it, been confirmed by the Council.

131. Mr. LAWLESS.—Has the lease been made?—It is not executed yet. In 1844, Messrs. Brian Murphy and Son were in possession of Kennedy's lease.

132. So that at the time of the lease of 1874, you may say, Mr. Butler was in occupation?—He was in partnership with Mr. Murphy. He was in occupation on the 1st January, 1844, as a partner of Mr. Brian Murphy, as ironmonger and hardware merchant.

133. Mr. DODDRELL.—I understand there have been inquiries in connexion with two lots of ground I took from the Corporation. If there is any further explanation you require, I am quite prepared to give you evidence. I am quite prepared to satisfy you the transaction was done *fideli*. I have expended £2,000; the houses were in a tottering state—falling down. There was an auction here. I bid along with others. I was declared the highest bidder. Mr. Morgan got me to sign an agreement that I would take out the lease and pay the year's rent in advance, and I did so; and to my very great surprise subsequently, Mr. Morgan thought of calling a second auction.

134. CHAIRMAN.—We had all that, Mr. Doddrell, but as you are now here, I should like to know whether at the time your bid was accepted at the auction by the Corporation, there was any undertaking given by you to the Corporation to lay out £2,000 on the premises?

Mr. DODDRELL.—My impression is, I was bound to lay out money. I am quite satisfied of it; but I can satisfy you I have laid out £3,000 on the premises.

135. The question is—Why did the Town Council grant you a lease of the two lots at £20 a year, when they had previously refused another man at a rent of £20 a year?

136. Mr. BYRNE (to Mr. Doddrell).—Did you not submit your architect's plans to the city architect?—Yes.

137. Mr. NARWOOD.—And here I have an abstract

of Mr. Doddrell's lease. The conditions of the lease to Mr. Doddrell in 1875 were these:—

"That he should within two years take down the old buildings erected on said premises, and in their place erect new building or buildings, so as to make same worth double the annual rent, namely, twenty, in the event of such buildings not being erected, at double the rent being put on said premises."

He was to pay £40 a year instead of £20, if he did not put up premises which in the opinion of the city architect would double the value of the premises; and he was to insure the building for £500.

138. CHAIRMAN.—That is not equivalent to an outlay of £2,000, but we may take it as a matter of fact that Mr. Doddrell, as he has stated, has laid out £2,000.

Mr. DODDRELL.—I can satisfy you with documents if necessary.

139. CHAIRMAN.—Now, here is another lease I should like explained. (Reads from rental.)

"Charles Frederick's School, St. Mary's place. W. H. Birtwell, Lessee. Lease for 999 years, at £20 a year, dating from 1837."

Mr. NARWOOD.—That appears to be a lease dated 27th May, 1853—a year's rent in advance, to be paid by Birtwell. (Reads from lease.)

"To hold from 29th September last, 1852, until the termination of 999 years; yearly rent of £20; tenant to erect new buildings as said premises worth at least £400, under penalty of double rent, to be computed from 29th September last; insurance to be effected, &c., against fire in sum of £400."

140. There is no recital of its being a charity school; there is no Indowment of that sort set up for granting a lease for 999 years. Can you get me the Poor Law valuation of that, for it is omitted from the rental?

Mr. BYRNE.—It is only a plot of ground.

141. Do you think the schools were on it at that time?—Mr. BYRNE.—No, the schools were built since. It was a piece of waste building-ground. My notion is that £30 a year was the full value of it as building-ground.

142. It is the valuation, not the supposed value, I want to know. Witness.—It could only be done of course by leave of the Lords of the Treasury.

143. Mr. DEANE.—I might mention to you, Mr. Chairman, that the arrangement with reference to the schools was in strict accordance with the law; for, whilst the Corporation are confined to twenty-one years' leases for houses, and seventy-five years for building-leases, they have under the 14th section, the right in case of application from a party for the erection of a school, or the erection of any religious house, to apply to the Lords of the Treasury to give a larger term—and they have done so in this case. The application was made to the Lords of the Treasury stating this was for a free school intended for the education of poor children.

144. CHAIRMAN.—Can you show me that? What struck me was, that in the lease there was no recital of its being for a charity school?—Witness (having referred to *Thorn's Official Almanac and Directory for 1856*)—The buildings are not valued, being a charitable institution.

145. Now, there is a letting, I see, 15, Blackhall-street, in 1868, for thirty-one years to the executors of M. Curley, at £30 a year, for which the Poor Law valuation is £36. We know, as a matter of fact, that Griffith's is considerably below the letting value; and yet this was let so recently as 1868, at a lease for thirty-one years, at £6 below the valuation. Was that put up to auction?—Mr. CURLEY.—That must be a mistake of the compiler's or the printer.

146. I want to know if it was let by auction?—Witness.—Oh, that I cannot tell you off-hand.

147. Mr. DEANE.—It is not to be taken as a general principle that the letting value of houses in certain parts of Dublin is at all equal to the Poor Law valuation. In many of the inferior streets the letting value is less than the valuation. We had a case the other day, in Bridge-street, in which the party in occupation

Dresses.
—April 24, 1877.
—
Mr. John
Barwood, &c.

to add Collins and Son's for seventy-five years from expiration of the present lease, 25th March, 1879. Your memorandum, therefore, pray your Lordship's consent to the grant of such new lease, so that your Lordship will immediately appoint a competent sworn valuator to fix the proper rent to be reserved in such new lease, and will cause some of our lettings for your memorandum of holdings or leases within five years of expiration.

"And your memorandum will ever pray."

Then they give the valuation, and they give Messrs. Collins and Son's proposal which is in the form specified in the memorial, and with the undertaking to pay the rent and erect the buildings. An order was then received by the town clerk to have the city seal affixed to this and a similar memorial, and to transmit them to the Treasury. Accordingly that was done, and the memorials were transmitted; and at adjourned meeting of Council a letter was read from the Lords Commissioners of Her Majesty's Treasury sanctioning granting of leases to Mr. John Campbell of Trinity-street, and Messrs. Collins and Son of Suffolk-street. The letter was as follows:—

"Treasury Chambers, 28th January, 1871.

"My Lord,—Adverting to the letter addressed to you from this department on the 13th ult., relative to the proposals contained in two memorials from the Corporation of Dublin, dated 16th October last, for the renewal of the leases of certain corporate property, I am directed by the Lords Commissioners of Her Majesty's Treasury to signify to you their approval of a lease being granted for a period of ten years from the 25th September, 1875, of No. 9, Trinity-street, Dublin, to Mr. John Campbell, valuer, at a yearly rent of £30; and also of a lease for a term of twenty-five years as from the 25th March, 1875, of the premises known as No. 25, Suffolk-

street, Dublin, to Messrs. Collins and Son, at an annual rent of £110, subject, however, to the following condition, viz.—That before the expiration of the said new leases the tenants comply with the 50th by-law of the Corporation by rebuilding (according to the city architect's plan), at a cost not less than £750 and £1,000, respectively, in the cases of the two leases above mentioned. The leased portion of this Board will be situated by two of my Lords being made parties to the deeds, drafts of which must be sent to their offices at this office for perusal.

"I am, my Lord,

"Your obedient servant,

"WILLIAM LAM."

"The Lord Mayor of Dublin
"(Care of the Town Clerk)."

Then this letter was inserted on the minutes, to be referred to Committee No. 3 to carry out.

166. The Treasury then in this case accepted your own, or rather Bransington and Gule's valuation of Messrs. Collins and Son's premises!—Yes; and upon reference to No. 3 Committee, it was ordered that the law-agent carry out the business.

167. In the former case of Mr. Rochford, it is a question though whether you are going to carry out the recommendation of the Lords of the Treasury. Here there been any other cases in which these proposals have been forwarded to the Lords of the Treasury for their sanction?—I do not know. At all events there are examples of the manner in which leases of corporate property are granted.

The inquiry was then adjourned to the following morning.

April 24, 1877.

Mr. John
Barwood, &c.

APRIL 25, 1877.

(Before Mr. CORBETT and Mr. LAWLESS).

Mr. JOHN BURKE, &c., examined.

168. CHAIRMAN.—Was it not you, Mr. Burke, who proposed that these premises should be let to Mr. Dockrell?—Yes. The house built by Burke, and referred to yesterday, is only value for £8 a year. If you turn over to Stephen-street, you will find that the houses Nos. 47 and 48, are now valued at £98 for public taxation.

169. Which had been let to Mr. Dockrell at £20?—Yes; the ground.

170. We have been already told that he had let £2,000 on this place!—Yes. The taxation of the city for public property is something over 1s. in the pound, and £98 at 1s. will add considerably to the public rate as compared with what it would have yielded if let to Burke; and, therefore, the public rates have latterly benefited in consequence of our preference to Mr. Dockrell, and that is a consideration I hold which should actuate us.

171. Was any opportunity afforded Burke to see if he would undertake to lay out the same amount of money that you required from Mr. Dockrell?—No; we came to the conclusion without asking any question, that it was most unlikely.

172. That does not alter the fact that you proposed to let to Mr. Dockrell premises for which £30 a year was offered, without giving the person who offered that

sum the option of laying out on the premises the same amount as Mr. Dockrell?—It does not alter the fact; but it qualifies it, when we have had buildings erected on these premises which pay £98 as compared with £30.

173. Of course you have every reason, and a very valid one too, to take into your consideration the benefit to the rates; but what I mean to convey is, that in considering that matter you did not give Mr. Burke an opportunity of offering to make a similar outlay.

174. Mr. LAWLESS.—What trade is Burke?—A plasterer.

175. And what is Dockrell?—He is a wholesale ironmonger and looking-glass manufacturer, doing a very extensive business.

176. Would any buildings Burke in the course of his trade might erect be of the same value as those erected by Mr. Dockrell?—Not a third of the value.

177. CHAIRMAN.—We know that all you required from Mr. Dockrell was that he should lay out on the place what would bring the value up to £40 a year, and what was there to prevent Mr. Burke doing the same?—But Mr. Dockrell had let £3,000, and the consequence is that the city taxation is benefited seventy or eighty per cent. more than it otherwise might be, and that is always an element for us.

(Mr. JOHN NORMAN'S examination continued from previous day).

178. Witness.—I wish to have one matter recorded on the notes, and that is the reason why the Corporation referred those leases which were about to fall in to a committee of the whole house, upon which sixty members sit, was because there were some members of No. 3 Committee who were interested as sub-lessees.

179. CHAIRMAN.—We have already the names of those five gentlemen?—I don't think the five were on that committee.

180. Three of them were, and there were five members who held under the Corporation as lessees, and three of these were, I understand, more or less interested in the alteration of that law?—Yes. In 1872, when the lease was made to Mr. Dockrell, he was then a member of No. 1 Committee, and not of No. 3 Committee.

181. What you wish, I suppose, is to give what you have just stated as a reason why all these lettings were

referred to a committee of the whole house?—Quite so; and it is quite accidental that any particular members sit on No. 1, 2, or 3 Committee. There is a regular rota, and each year a member goes from No. 1 to No. 3 Committee, and then to No. 2 Committee, and so on, in order that all may have a turn.

182. Did it not transpire yesterday that those three gentlemen happened to be on the committee at the time the alteration was made in the by-law?—But the alteration of that by-law was a matter that was under consideration for several years.

183. When we adjourned yesterday you were good enough to undertake to ascertain the facts connected with that letting to Fitzsimons, after Gill had made a higher bid for it—that is on Babbiole?—Yes, on what is called the Town Parks. I have all the information for you.

184. Now, suppose we go to that other case reserved yesterday evening in reference to the lettings made to George Austin. Look at pages 23 and 24 of the rental Nos. 7, 11, and 13. The point I wish to draw attention to is, that the gross nettable value of the three lettings was £122, and they were let to him at rents amounting to £70. In re-letting do you always take into consideration the Poor Law valuation?—Oh, no.

185. Is it not always an element for consideration?—It is an element.

186. And is it taken into consideration? For instance, up to last year your property was always let by auction, and was it not always an element for consideration in deciding whether the highest bidder should be accepted?—It was an element, and also the fitness of the person. I own a large quantity of house property, and I would rather let a house at a less rent to an eligible tenant than at a higher rent to an ineligible.

187. The question that arises here is that these premises are let to Mr. Austin at a rent of £70, while their gross nettable value was £122. We all know that the Poor Law valuation is below the actual value?—If you were present at the auction here you would see it is an open court. The person who provides is the third person in the room, whoever he may be.

188. What do you mean by the "third person"? Is it the third person who enters the room?—Yes, the third Town Councillor that comes in takes the chair, and the town clerk and law agent are both present, and the law agent takes the bidding. He writes out the conditions of sale first, and then takes the bidding. The intending purchasers bid, and these bids are all taken down, as you see, and then No. 3 Committee report to the house, and let them deal with the matter in open council. Very often it is not desirable to place as the minute-books the reasons for not taking a tenant, but nothing can be fuller than the way in which the lettings are disposed of. I find this entry on the minute-book—

"May 12th, 1861. Proposal from Mr. George Austin to become tenant for the house No. 7, St. Andrew-street, at £32 per year on lease, with the usual conditions, and offering to surrender up the house should his proposal be accepted."

189. Mr. LAWLER.—Which of the holdings is that?—No. 7. He evidently had been the previous tenant, because he offers to surrender up the house should his proposal be accepted to. The order made upon that was, that "same be referred to the law agent;" and then I find, as bearing on the question you asked a few minutes ago, a memorial from Mr. Alley for a reduction in the rent of certain lands he holds, and as an element of consideration is given Griffith's valuation, which is the foundation of the Poor Law. Again, under date of June 7th, 1861, on the same committee-book—No. 3.—I find the following entry—

"Read letter from Mr. George Austin, offering his offer of last date from £23 to £27 per year for that house. Resolution—Resolved—That same cannot be accepted."

That was the order made. Again, on June 14th—

"Mr. Austin having declined to give the £30 a year for his house, No. 7, St. Andrew-street, of which he was in possession. Resolved, That the offer of the house No. 7, St. Andrew-street, to Mr. Austin, at £30 per year, was made with the view of accommodating him as the tenant in possession, and that offer not being accepted, this committee do not consider themselves any longer bound to him, and that the law agent do now take the usual steps."

190. CHAIRMAN.—That was for on section 1.—Yes.

"Order.—That a copy of the foregoing be sent to Mr. Austin."

191. Does not that show that the rule is not an invariable one of putting the premises up to auction?—He was evidently the tenant in possession.

192. Yes, evidently; so that in some instances you gave the option to the tenant in possession without putting the premises up to auction?—Yes.

193. Mr. LAWLER.—Does it not appear from that that the Corporation offered these premises to Mr. Austin at £30 without putting them up to auction?—Yes; but that was before the by-law was amended.

194. CHAIRMAN.—You said yesterday that your impression was that the rule of putting them up to auction was always followed, but it would now appear that that was not the invariable practice?—Then I find again on June 21st, three days before the by-law came into operation that there was a letter read from Mr. George Austin accepting the terms at £30 a year. (Letter read.)

195. Mr. LAWLER.—Was Mr. Austin in the Corporation at that time?—No; he never was in the Corporation. He was a member of the North Poor Law Union Board of Guardians and a very active member on that board, and I may add a very officious one too, as considered by some. A more unpopular man with the majority of the Corporation could not well be conceived, for he held very strong political views opposed to the majority.

196. CHAIRMAN.—We want to know now about the premises Nos. 11 and 13, St. Andrew-street?—Mr. Austin holds premises in Trinity-street, as tenant to Trinity College; and they about as Mr. Singleton's premises who is tenant to the Corporation. I find under date the 22nd February, 1851, that the sub-committee in Mr. Austin's case received from him the following letters. [Here followed two long letters from Mr. Austin, read by Mr. Newwood, but which it is unnecessary to transcribe as part of his evidence.]

197. WITNESS.—Mr. Austin was sub-tenant to Trinity College of part of Nos. 11 and 13. Evidently the Corporation, for the purpose of widening the street or some other purpose, were in treaty with Mr. Austin for the portions of the premises he held under Trinity College.

198. I suppose they held under long leases from the Corporation, which were about to expire?—I suppose so. You know it is under a gift from the Corporation that they hold their premises at Trinity College.

199. Then did George Austin offer forty guineas a year for the Corporation portion of the premises Nos. 11 and 13 and the part of the house in Trinity-street?—Yes.

200. And was that an offer from him in consequence of a communication from a committee of the Corporation?—Yes.

201. Mr. LAWLER.—Do you know whether the Poor Law valuation set down in the rental for those two numbers, namely, £50 for No. 11 and £40 for No. 13, represents the value of the Corporation portion exclusively?—No; I think it represents the whole. There could not be a separate valuation. Evidently the object of this negotiation was to get a complete house from the Corporation. Finally it was resolved by the committee that they recommend the letting of Nos. 11 and 13 at £30 each, and No. 13, Trinity-street, at £15.

202. CHAIRMAN.—And the letting to Mr. Austin was finally agreed to on these terms, I presume. It is clear this, mixed up as it is with the holding under Trinity College, is not a text case. I will now take the schedule of proposals, and go through it aerifical. We had yesterday from you that certain proposals had gone forward and were so far adopted as to be recommended to the Treasury for acceptance?—I went through Callinan's and Rochford's proposals. I hope you understand that with regard to Mr. Rochford's claim the Corporation have not refused to do anything further; but he served notice of a bill to compel specific performance.

203. I quite understand the position with regard to Mr. Rochford. You told me yesterday that if you went through the list of proposals you could tell the position of the Corporation at this moment regarding them?—I could. Hodges and Foster have made a claim in respect to the house 104, Grafton-street.

204. That being at present let at £31 1s. 6d., the Poor Law valuation being £135, they have proposed to take it at £200 for a thirty-one years' lease?—Yes.

205. And has there been a valuation made by Beesington and Gale?—Yes, this is their valuation.

BRASSINGTON,
April 15, 1877:
—
Mr. John
Norwood.

The valuation of Brassington and Gale is the proposed rent under the lease.

205. There is a proposed rent of £200 a year, and the name of Brassington and Gale appears in the observation column. I want to know whether or not the valuation of Brassington and Gale is independent of the offer, or whether the offer is based on Brassington and Gale's valuation. I don't want you to state an open court, unless you think proper, what Brassington and Gale's valuation is. I suppose, irrespective of the occupier, you get the valuation of Brassington and Gale for yourselves; but is that valuation communicated to the parties beforehand as a basis for their offer?—Oh, not at all.

207. Has any decision been arrived at by No. 3 Committee regarding these claims or have they been to any extent accepted by that committee?—None. They have all been sent to the whole house.

208. Then all these proposals in this document, *1877, No. 68, are under the consideration of the committee of the whole house, having been sent forward without observation by Committee No. 3?—Yes.

209. In every case where the name of Brassington and Gale is put into the last column, has that valuation been obtained, or is it in course of being obtained?—If the valuation is there it has been obtained.

210. And have no cases been sent forward recommended for acceptance by the Lords of the Treasury, except those mentioned yesterday?—That is so.

211. That is Mr. Roelke's case, Mr. Callinan's, and Mr. Campbell's which was included with Mr. Callinan's, and which is not in this table?—Yes. It was in the original table, but it was struck out because it was then disposed of. (Witness produces copy of proposal.)

212. I infer from this that the offer of the tenant is communicated to Brassington and Gale?—No. The law agent says to them, "You will please value this house for a lease of such and such a term."

213. In their valuation they say, "If a lease was granted for such and such a rent, it would be fair," but I observe that the rent fixed by them happens to be the same as was offered by the party. That would look as if they had been cognisant of the valuation?

Alderman Harris.—The offer is made subsequent to the valuation of Brassington and Gale.

214. CHAIRMAN.—But there must apparently have been some communication between the valuer and the person offering.

Alderman Harris.—The case of Alderman Manning explains how it is done.

215. CHAIRMAN.—Then may I take it that either the valuer or the cognizance of the offer made by the person tendering the proposal, or vice versa?

Alderman Harris.—Before the proposal is sent in at all Brassington and Gale are asked for their valuation, and the valuation they make is the offer of the tenant. It was not until Alderman Manning received that valuation from Brassington and Gale that he made his proposal. With the offer there is forwarded the valuation.

216. Dr. Norwood.—I find that the proposal of Hodges and Foster has been referred to the law agent for a report.

217. CHAIRMAN.—Dr. Norwood, when Alderman Manning made his proposal to give £200 a year for the premises 103, Grafton-street, was he cognizant of the valuation put upon them by Brassington and Gale?

Dr. Norwood.—It would appear from the date that he was not, and I assume that the valuation was put in subsequently.

218. CHAIRMAN.—And cannot you say whether or not Brassington and Gale were cognizant of the offer made by Alderman Manning when they made their valuation?—No. How is George McMaster in the list of the house 27, Grafton-street?

219. Yes; but that is going to another case. He proposes to take certain premises under a new lease, from the 25th March, 1880, at a rent of £20. That proposal is dated 30th October, 1876. On the

15th December, 1876, Mr. McMaster requests Brassington and Gale to make a valuation of the premises, and says he will pay them the amount for their valuation. On the 22nd December, 1876, Brassington and Gale make their valuation, and they say that £20 would be a fair and reasonable rent to charge for the premises. Now what passed between the 20th December and the 14th February you don't perhaps at present know, but on the 14th February Mr. McMaster writes the text of his proposal "I propose to increase the original rent to £20." Can you tell me or not, whether between the 22nd December and the 14th February, when Mr. McMaster amends his offer, the valuation of Brassington and Gale had been before the committee, and whether they had in any way communicated with Mr. McMaster thereon?—There does not appear to have been anything done between the two dates.

220. Then you cannot account for Mr. McMaster raising his offer to £20?—I don't find anything at all on the books to explain it.

221. Is Mr. McMaster here?—No.

222. I merely want to find out this case now as an illustration of the circumstances under which these proposals are made?—Here are two proposals—one from the London Union Assurance Company, and the other from Guinness, Mahon, and Company, for the premises 17, College-green. A thirty-one years' lease at £200; or a seventy-five years' lease at £170.

223. Guinness and Mahon, 17, College-green, appear to be land agents and tenants to the London Assurance Company, the original lessors. The lease expires on the 17th September, this year. They are now paying £130 a year, and they have put in a proposal to take a renewed lease for thirty-one years, at £100 a year. That proposal is dated 23rd September last year; but it does not appear to have been put forward for valuation?—Yes; they sent in two proposals—one to take the premises for a seventy-five years' lease, and the other for a thirty-one years' lease.

224. The offer before me is for a thirty-one years' lease, and there is no valuation on that?—They gave a proposal for a thirty-one years' lease, as they believed the house did not require to be rebuilt. The committee decided otherwise, and Guinness and Mahon submitted that in that case the rent should be reduced £10, and stated that the rent had been more than double the rent of the premises adjoining. Brassington and Gale say they have, in accordance with the instructions contained in Mr. Morgan's letter of the 26th September last, examined the house and premises 17, College-green, now in the occupation of Messrs. Guinness and Mahon, for the purpose of giving their opinion as to the value of the ground to be leased on a lease for seventy-five years?—

* Taking into consideration the position and extent of the building, and the conditions under which the proposed new lease is to be granted, as set forth in the enclosed proposal, we are of opinion that £175 is a fair and reasonable value for a lease of seventy-five years from 26th September, 1877.

225. That shows that Brassington and Gale's valuation is laid before the tenant, and he makes his proposal, basing it on that valuation. The proposal is dated 23rd September, 1876, without any rent stated, but "at such a rent as shall be fixed by a sworn valuer." Then Brassington and Gale's valuation is made upon Mr. Francis Morgan's request, and then these gentlemen submit that the valuation put upon the premises by Brassington and Gale is £10 too high, and they send in at the same time an offer of £300 a year on the thirty-one years' lease without rebuilding. This illustrates the practice completely, because it appears, these two proposals being sent in, they are both submitted to Mr. Morgan for his report. Then Mr. Morgan makes his report, which is entered on the minutes, reciting the offer made, and recommending that if it is let on a building lease the committee may fairly take a mean between the valuation of Brassington and Gale and their offer. He also refers to the offer to take the premises on a thirty-one

years' lease at £200 without rebuilding, and he says, on consideration, looking to the improvement of that locality as the best building site in Dublin, he thinks it would be better to let for the seventy-five years at £170, in order to have a new building erected. He, therefore, recommends the committee to accept £170 for the seventy-five years' lease rather than £200 for the thirty-one years' lease without rebuilding, and that if the committee are not satisfied to consult the city architect thereon. In regard to all these proposals, they are all submitted to Mr. Morgan to report to the committee.—*Quite so.*

226. Do you know whether or not that was afterwards submitted to the city architect?—Yes; his report is here.

227. By that I see that on the 15th December, 1876, he says:—

"*GIVEN, that, Pursuant to your order, I have requested the lease of 75 College green, and have to report that it is a very good repair, and is in a perfectly tenable order.*"

He then goes on to mention a building in the roadway which should be taken down and rebuilt. Under date 3rd March there is another letter from Mr. Morgan, in which he refers to his report of the 15th November, and says:—

"*I decidedly adhere to my former opinion, that a new lease would be preferable for seventy-five years.*"

That was after having Mr. Butler's opinion before him, and he adds that it would be better to give the building lease at £170 than the thirty-one years' lease at £200.—I may state from my own knowledge that Guinness and Milnes have agreed to accept the lease at £170.

228. Is that course pursued in every one of these cases?—In every one.

229. First Mr. Morgan reports upon the proposal and if necessary the opinion of the city architect is taken?—Yes; and then all the papers are transmitted to the committee of the whole house in pursuance of the order of council for them to deal with.

230. That applies then to all the property in the town about to fall in between this and 1880. There is also the Ballycotton property which will fall in about the same time, and it is mentioned that these few occupants intend to apply for renewals. Have any offers been made by them since this list was printed?—Not yet.

231. Will the same course be pursued in these cases as in the cases of town property?—Yes; and it has been pursued in the case of Colganstown and Ringwood. In Miss Gery's—the Ringwood case—the memorial has been sent to Mr. Morgan. (See Appendix No. 15, page 369, for report of No. 3 Committee on Miss Gery's proposal.)

232. I see there is a proposal about Colganstown from Mr. Bartholomew Colgan. I suppose he is the occupying tenant?—Yes.

233. I call attention to that case, because the difference between the new rent and the old rent is very trifling. The average is 191s. 3s. 2d. or nearly 192s. It was let for sixty years at £344 15s. 10d., the Poor Law valuation being £282. It is now proposed to be let for thirty-one years at £371 15s. That shows how very much the real letting value was above the Poor Law valuation at that time, and I believe it is still more now as the value of land has increased. When did Bartholomew Colgan send in the proposal for a new lease for this land, the lease for which expired last month? I see by the table he sent in a proposal for a new lease at £371 15s. in lieu of the old lease at £344 15s. 10d.—Here is Mr. Morgan's report.

234. You now produce a report from Mr. Morgan with respect to this holding on the 22nd December, and in that report I see, Mr. Morgan refers to the valuation of Brasington and Gale, which he has had made of these premises, putting a very much higher value upon them, including building, than the offer of Mr. Colgan, and therefore he goes into a string of reasons why the Corporation should hesitate before

accepting the offer, and that he would like to have a further opinion taken before any conclusion was come to, and that report seems to have been adopted?—Yes. Then on the 3rd March, 1877, Mr. Morgan further reports:—

"*I may state that Messrs. Moore and Colgan have offered only £371 15s. for a thirty-one years' lease, while Messrs. Brasington and Gale have valued the annual rental at £344 15s. 10d.*"

The committee upon Mr. Morgan's report declined to accept the offer, and Mr. Moore having died between the time of the offer and the final decision upon the matter, upon the 22nd March, 1877, Mr. Morgan further reported that he had not received any amended offer or communication with regard to reletting of the lands, and he advised that they should be advertised to be let by auction. Moore was the joint tenant with Colgan.

235. Is that then how the matter lies at present?—Yes.

236. And is the intention now to put it up to auction?—*Quite so.*

237. As to Ballycotton, do you say there has been as yet no application?—None.

238. Has it been signified to you that the occupants intend to apply, and if they do may I assume the same course will be taken as in the case of Colganstown and the other lands?—*Quite so.*

239. I think we have sufficient now to illustrate the course pursued by the Corporation in these matters?—You have got their dealings with leases under the operation of the by-law, and you have their dealings with leases under the operation of the by-law.

240. If there is anything you wish to explain about the Ballycotton case I would be glad to hear it. I shall read again carefully the evidence taken before the select committee as to Ballycotton, and it seems indeed to have been very fully gone into by them upon the recommendation of Mr. Morgan?—And there is a very voluminous report from Mr. Morgan on the subject.

241. I will just ask you this. Has the council had under consideration the advisability of selling the lands of Ballycotton?—They have; but they have taken no action up to the present. The whole matter was brought before the council by a report from No. 3 Committee founded on a memorial addressed by the Roman Catholic clergy and the inhabitants of the neighbourhood, asking for improvement in the dwellings at Ballycotton. Mr. Butler having recommended the erection of such buildings, the Committee took the matter into consideration, and suggested for the consideration of the council:—

"*The desirability of preparing maps and plans of the portion of the Ballycotton property under the town, and with the permission of the Lords of the Treasury to have this portion of the property sold, and city debtors taken up and consigned with the proceeds of the sale.*"

That report was dated 6th March, 1875, and no action has since been taken.

242. Was there not a very strong report before that from Mr. Morgan in April, 1874, as to the absolute necessity of rebuilding some of the cottages in Ballycotton, and drawing attention to the wretched state of some of the dwellings, and the need of prompt action; whether the property was retained by the Corporation or put up to auction?—*Quite so.* Mr. Morgan then reported as to the erection of cottages in 1863 and 1868, at a cost of £1,038; the reconstruction of new roads and sewers and footpaths, retaining walls, and other repairs. (See Appendix No. 15, page 368, for Mr. Morgan's report of April, 1874.)

243. But in his opinion then was not considerable further outlay necessary in order to have decent dwellings for the tenants?—*Quite so.* He suggested that £2,000 should be given to provide additional dwellings.

244. Was not that recommendation confirmed by Mr. Butler?—*Quite so;* but the Corporation have taken no action on the suggestion either to rebuild the property or to sell it.

245. Do not all the leases of Ballycotton date from

DEEDS.
April 21, 1873.
Mr. John
Norwood.

BURKES.
April 18, 1887.
Mr John
Normand.

1855, and expire in 1885, so that they have nine years yet to run, except that there are sixteen lots containing nearly ninety-eight acres, which are held by twelve tenants quarterly?—Yes. It should be stated that one of the reasons which induced the Corporation not to take action on Mr. Morgan's report of 1874 is that the borough fund is so greatly burdened with the demand upon it.

246. Is it on the sixteen lots of land that are let to quarterly tenants that the cottages are in such a wretched state, or is it on the whole property?—No. These houses are in the town proper. Baldyle is a small fishing village, and these are some of the cottages in it.

247. Of which the rental was subsequently reduced under powers conferred by an Act of Parliament?—What occurred was this:—The Corporation presented a bill seeking power to reduce those rents, which had been agreed to be paid at auction, and the Lords of the Treasury then issued a commission, and Mr. Justice Fitzgerald held an open court to hear the evidence on behalf of the tenants seeking the reduction, and on behalf of the Corporation, and finally he reported recommending the reductions, and these reductions were embodied in the schedule of the Dublin Improvements Act Amendment Act, 1864, and that schedule shows the names of thirteen out of sixteen tenants, the quantity of their tenements, the original rent which they agreed to pay at auction, and the reduced rent. Three of the tenants did not join in applying at the time that the other thirteen did, but subsequently the Corporation dealt with them on similar terms as those mentioned in the Act of Parliament.

248. Is not Patrick Battery, who held three of these holdings, your caretaker on the estate?—Yes; he collects the weekly rents.

249. The reduction in his case appears to be less than in the other cases?—The reduction is merely the result of the evidence laid before Mr. Justice Fitzgerald.

250. Did that outcry referred to in Mr. Morgan's report take place subsequent to the reduction of the rents?—The outcry was between 1856 and 1857, and the reduction of the rents took place upon the coming of the Act into operation, namely, upon the 29th July, 1864. The outcry was upon the portion of the property held in the hands of the Corporation, the village proper.

251. To return to Fitzsimons' case, now we are on Baldyle, you could, perhaps, tell us now how it was that James Fitzsimons was accepted as tenant for No. 40 of those townlands in preference to Thomas Gill, who apparently had made a higher offer?—In the minutes-book of the law and lease committee, it is recorded "That the bidding for the undermentioned lots be not confirmed," and two of those were Nos. 39 and 40, Thomas Gill's lots. This was on the 14th February, 1857. Thomas Gill had two fields, containing about four acres, and here are the advertisements for the letting by auction. (Advertisements produced.)

252. This is, I see, the advertisement for letting by auction the lands of Baldyle?—Yes; upon the 24th January, 1857, they were set up for sale by the city marshal, who acted as auctioneer.

"Read the conditions of letting as printed on the paper, which are the usual conditions."

253. But to come to the point. Was it not the case that Thomas Gill was the highest bidder for lots 39

and 40?—I see that on the 26th January, 1857, the committee resolved to accept certain proposals to become tenants to the 5th January, 1857. Amongst these there does not appear lot 39 or 40, but it says the remainder of the lots were reserved. The town and lands were divided into forty-five lots, thirteen to let, twenty-six were reserved.

254. I find Thomas Gill described on the rental as the tenant of lot 39, and James Fitzsimons as the tenant of lot 40, and on the form which you showed us yesterday which contained the holdings, Gill was put down as bidding a higher rent—I think 10*l.* an acre—than James Fitzsimons, and I want to know how the Corporation accepted James Fitzsimons' offer in preference?—Here is the bidding taken by the city marshal on the 24th January, 1857:—

"Lot 39, Thomas Gill, 2*l.* 3*s.* 3*d.*, rent per annum, 42*l.*, subject to drainage works."

255. That must be 22 10*l.* per acre?—No, it is here as per annum.

256. That cannot be, for he is entered on rental as 29 12*l.* rent?—The lots were put up in January, 1857, and Thomas Gill was the highest bidder for these two lots, but the committee, on the 14th February, reported that some sixteen of these holdings, including lots 39 and 40 be not accepted. "That the bidding taken from Thomas Gill be not accepted," and upon 7th March, 1857, the secretary reported that he had written in accordance with the orders of the committee to Thomas Gill, who had bid for lots 39 and 40; that Gill had accepted the amended proposal of the committee for lot 39, subject to drainage works, and that he had declined what they asked for lot 40. Then it appears to have been let to Fitzsimons.

257. I want to know how that could be done, when Fitzsimons actually offered less?—On the 5th May, 1857, offers were submitted for several of these lots not sold before, and among these was No. 40, in the town of Baldyle. A proposal was forwarded from James Fitzsimons, at 21*l.* 8*s.* per acre, and the order was:—

"That Mr. Morgan be authorized to let this lot at 42 per acre, until 7th March, 1876, if required."

And accordingly we find now that James Fitzsimons is tenant of this 8*l.* 3*s.* 3*d.*, at an annual rental of 213*l.* 4*s.* 4*d.*

258. It was let then at 30*l.* an acre; the tenant, I suppose, to measure?—Yes.

259. There is no doubt but that at the time of the auction James Fitzsimons did not bid as much as Thomas Gill, but whether what he gave for it is better than he offered then is in doubt. Certain offers were refused, and an offer was made on the part of the committee to the tenants, including the man whose bidding they declined. He accepted the offer for lot 39, but refused it as to lot 40, which was consequently not let then. But in May following subsequent offers were made by other persons, and amongst them was the offer from James Fitzsimons of 30*l.* an acre, and it was let to him. I think that is the history of the transaction so far as we seem to be able to get it.—With regard to the collection of the rental of the Corporation, the treasurer informs me that the houses during the last ten or twelve years have not amounted to anything more than one per cent.

260. Does that apply to the whole estate, and not to Baldyle merely?—To the whole estate.

Alfred
Harris.

ALFRED HARRIS examined.

261. You are one of the gentlemen named yesterday as a member of No. 3 Committee, if I remember rightly, and the lease of whose premises is falling in in 1880?—Yes.

262. In Suffolk-street I think your premises are situated, are they not?—Yes.

263. The premises in question are, I believe, Nos. 19 and 20, Suffolk-street, "Ancient Revenue 154" in rental, occupied by James Waller and L. Harris, the original lease for ninety-nine years, having been

granted to Mr. Nugent Becker?—Yes, I am the occupier of one of those houses, No. 19, Suffolk-street.

264. You are not occupying the two houses jointly with Mr. Waller then?—No; I only occupy the house No. 19.

265. The two houses though are bracketed together in the rental?—Yes; and they are held under a lease granted to Mr. Nugent Becker, who is now represented by Mr. John Rigby, as the official owner in the lease by the Corporation.

266. And you are a sub-tenant of Mr. Rigby's

DEPOSIT
April 25, 1875.
Address
Harris.

then?—Yes. You asked Dr. Norwood a question yesterday with reference to the Poor Law valuation being any criterion as to the value of property, and I wish to say that I think that in this portion of the city of Dublin it is no criterion whatever as to the value of house property in this neighbourhood.

267. Do you say that you consider that in this particular part of the city where you are living the Poor Law valuation is no just criterion of the letting value of property?—None whatever.

268. Will you give me your reason for saying that?—One of my reasons is that of the house I am at present occupying, the Poor Law valuation is £42—it is a miserable, wretched place, but still the rent payable on it is £100 a year, and has been so for the last forty-one years.

269. You are paying £100 per annum for that which is rated under the Poor Law valuation of only £42?—Yes.

270. I perceive that the two holdings are rated together at £96 a year, and were let to Mr. Booker in 1781 for £21 10s. 1d. What rent does Mr. Walker pay?—I don't know what Mr. Walker pays, but I should imagine his rent was much higher than mine.

271. Is his house at least as valuable as yours?—Oh, much more so. It has a smaller fringe, but the rent is very extensive. Another instance bearing on this subject you will find in the case of the house 31, Suffolk-street, which was also let originally to Mr. Nugent Booker, about the same time. The Poor Law valuation is £135 for the two houses occupied by J. Johnson and A. Whitaker. For instance, the house No. 21, Suffolk-street the rating is £63 per annum, and I have reason to know that the shop is, at the present time, let to a first-rate tenant at £150 a year—and that will therefore give you some idea of how much below the actual letting value the Poor Law valuation is in this particular neighbourhood. But the point with reference to which I desire specially to call your attention is the amended 53d by-law, or rather the altered 35th by-law.

272. Have you made any application for a renewal of your lease under that by-law? You are not, I observe, included in this schedule?—No; it is a matter of indifference to me whether I get a renewal or not. It is on the question of principle that I am working the thing out to the end.

273. Even although you wish to give evidence on the subject, you have not yourself made any proposal to the Corporation?—No proposal whatever to the Corporation. This 53th by-law originally provided that all property of the Corporation should be put up to public auction, and after a good deal of anxious consideration from the law officer and other gentlemen in the Council, they got this by-law altered, and the intention of the Corporation was that the by-law should be so altered as to protect the interests of the occupying tenant. It was worded in such a way—though perhaps there could be no improvement in the wording—that the effect of that by-law has been, instead of protecting the occupying tenant, to draw down upon the occupying tenants the enmity of the middlemen, and he says—“Now, here it is open for me to get a renewed lease from the Corporation, provided you have the lease which I hold over you, and unless you give me a large sum of money, I shall not yield up to you the lease, and therefore you are in the position that you may go out into the street, and I will take up the premises.”

274. Mr. Norwood stated, in the course of his evidence yesterday, to the effect that, in consequence of such an advantage being taken by some of the middlemen, a resolution had been passed by the Council informing them that under no circumstances would the Council grant a lease to a middleman if they found that notice to quit was given by him in the way you describe to the occupying tenant?—Yes, that is quite correct. It is the anxiety of the Council to uphold the occupying tenant, but many of those gentlemen—the middlemen I allude to—calculate

upon the fact that there may be a very wonderful alteration in the constitution of the Corporation before the expiration of their lease, and that they will be enabled by that means to bring influence enough to bear to obtain a reversal of that resolution, which, being only a resolution, can be rescinded at any moment, and thus gain the advantage not only of the premises in their own actual occupation, but of any premises they happen to hold a lease of. For instance, in my own lease, although we are now only yearly tenants, I believe we have the right to hold the premises up to the end of the lease; but our landlord, believing that he has a right now to give notice, although it never was his intention to have done so until the expiring of this by-law, has given us notice to quit, as he has also received notice to quit for the premises he occupies as a Corporation tenant.

275. Who is your landlord?—He is Mr. Rigby, who holds the premises 24, Suffolk-street.

276. Is he there an tenant to Alderman Roe?—Alderman Roe was the original lessee, but now he is the occupier of both places. The same thing arises in the case of Messrs. Forrest, of Grafton-street, and Messrs. Ogilvy and Seale. Messrs. Ogilvy and Seale are sub-tenants of Messrs. Forrest, who hold a lease under the Corporation.

277. Are not Messrs. Forrest the occupying tenants of the house 100, Grafton-street?—The houses 100 and 101, Grafton-street, are occupied by Messrs. Forrest, and No. 99 by Mr. Ogilvy.

278. By Messrs. Barkle, is it not?—By Barkle and Co., trading as Ogilvy, and No. 98 is occupied by Mr. Seale. Mr. Seale has one of the houses and Mr. Ogilvy another. They are both sub-tenants of the Messrs. Forrest, and Messrs. Ogilvy have made a proposal to purchase for £5,000.

279. Do I understand you to state that Messrs. Forrest and Seale have given notice to quit to Messrs. Ogilvy?—Well, I am not aware that they have actually given notice to Messrs. Ogilvy. I won't go so far as to state that; but I have reason to know that Messrs. Ogilvy have received intimation over and over again from Messrs. Forrest that at the expiration of the term for which they hold, which is about eighteen months prior to the expiration of their lease, that they will require possession of those premises. That they have done, and Messrs. Ogilvy and Seale made a proposal to the Corporation, when this matter was first brought about, for the purpose of trying to get a renewal of the lease from the Corporation. When the matter came up for the consideration of the Council, on a recommendation from No. 3 Committee, Messrs. Forrest served a legal notice upon the town clerk, or upon the Corporation of the City of Dublin, warning them that they should not deal with Messrs. Ogilvy and Seale, as they had been advised, having taken eminent advice, that they were the parties who would be in a position to get a renewal of the lease of the Corporation, and that they would so insist upon their rights.

280. As far as I understand what you now contend is, that this by-law has been so worded that there is no security that the occupying tenants will be the parties who will be benefited, although they were undoubtedly the parties intended to be so benefited?—None whatever, except they happen to be in the fortunate position of being the holders of leases which would revert to the Corporation. The effect of the by-law has been taken advantage of to militate considerably against the occupying tenant, and I will tell you the reason why. If all those premises had been put up for auction it would not have been the object of the middlemen, because their interest runs out so very quickly, to interfere with the occupying tenant. They also would be in this position, that the same game could be played—the same tactics pursued against them as they would be pursuing against Mr. Rigby wished to turn me out of the house of which I am occupier, I could do the same thing to him. When it came to be a matter of

Witness.
Apr 25, 1877.
Allexander
Harris.

anction, I could run him up and perhaps have his lease; but if he is in the position of being able to get a lease, and to have occupied and held his own premises, he would be in a much better position than if the premises were put up to another auction. The same thing would apply to Messrs. Forrest.

281. It is surely perfectly competent to the Corporation now to amend this by-law with the consent of the Treasury?—Yes, but the only question I would ask you to consider is, whether the balance of advantage is on the side of allowing the plans to go up for auction or to hold to this by-law, because although this question has been applied more vigorously to this portion of the property than to any other; if you turn to page 1 of the rental you will see the Greenstown estate, which comprises about 150 separate tenements, and let as long ago as 1683, on lease of 109 years, to one William Ellis, an ancestor of Viscount Clifden, whose property it now is, comes under the same category. You will find that there the Poor Law valuation is £3,086, and an immense number of tenancies will fall into the Corporation in 1881.

282. Has anything been arranged to be done with regard to that property?—Nothing whatever at present—not at least with regard to the relating of that property. I do not think there has been a single application from that neighbourhood at all.

283. As far as you believe no application has been received for a renewal with regard to that property; and has no course been considered in reference to it by the Corporation?—No; nothing is done except as it comes in.

284. The by-law, you will observe, is not obligatory on the Corporation to entertain a proposal even from the occupying tenant. The words are: that the council may, with the consent of the Lords of the Treasury?—Yes; but it leaves the door open to a great deal of pressure and favoritism. I need not tell you it leaves the question open.

285. That is what you want to represent—that the operation of the by-law is dangerous to the occupying tenant at the present moment?—It is.

286. That, in other words, it is not calculated to give security to or to benefit those persons for whose security it was intended, and it may operate very prejudicially to their interests?—Yes. I am inclined to give evidence on the point now, simply because the very first matter that was opened up and came before you was Mr. Rochford's case, and in that case he was a member of the Town Council. As he has already been explained to you his holding is in two parts. The northernmost portion is in his own occupation practically, and the southernmost portion which had not been in his occupation, had been in the occupation of Messrs. Monnell, Mitchell, and Co.

287. Which the Corporation apparently were not aware of?—Which at the time they were not aware of. Of course it took some considerable time to get this amendment of the by-law—some two or three years before it was able to be carried out. The consequence was that any person in the Corporation must have known that such was in contemplation. It is only fair, however, to Mr. Rochford to say that Messrs. Monnell, Mitchell, and Co. were not his tenants at all. They were simply the tenants of the person who held under the lease of Mr. Rochford himself, and at the time Mr. Rochford demanded possession the lease of the sub-tenant had expired. But it came to the knowledge of some of the members of the council that Messrs. Monnell, Mitchell, and Co. had been in occupation of these premises, and they certainly complained that they had been put out with some degree of harshness and hardship, and when they found that the matter was likely to be investigated, and that they would be likely to get a lease of this portion of which they were in occupation, they came forward and made a proposal. That was a good illustration of exactly what might have taken place in a great number of instances in which men were thrust out by the sub-

tenants for the purpose of placing themselves in a position to get a renewal of the lease, and there was a great deal of controversy about it backwards and forwards.

288. Mr. McKeag.—I wish to hand you, Sir, a newspaper containing the discussion in the Town Council at the time, in which Alexander Harris took part, and a decision was arrived at by the Lord Mayor's own vote. If Mr. Rochford had abstained from voting, the matter could not have been decided as it was, as the council were evenly divided.

289. Ifitness.—Subsequently to the memorial having been forwarded, the report of No. 3 Committee was brought forward as the reply that should be sent to the Lords of the Treasury. It was moved by Councillor Dockrell, that the report of No. 3 Committee, which you heard yesterday, should be sent forward. An amendment was moved by Councillor Gray, which is suggested as an addition to the original motion, and seconded by myself, to the effect, that in view of the representations which had been made by Messrs. Monnell and Mitchell, the Treasury should be communicated with, and informed of the facts. Well, the amendment was put, and eleven voted for and eleven against it; and the Lord Mayor voted against the amendment—thereby not allowing any further time to be given or that they should be communicated with. The original resolution was then put and adopted, and sent forward as the reply of the Corporation, and one of the members having left, the voting became, including the Lord Mayor, twelve to ten.

290. What were the terms of Mr. Gray's amendment?—The amendment was as follows:—

“The Council trust that the above explanation of the special question referred to by Mr. Morgan, viz.—the suggested extension of the terms of the Dublin Improvement Bill with the assent of Mr. Rochford's lease, and the proposal by the Council will prove satisfactory to your lordships. The Council, however, think it right to add that the following letter of Messrs. Monnell and Mitchell, late sub-tenants under Mr. Rochford, has since been received, and pending the re-investigation of the whole matter by the Council, request that the Lords of the Treasury will delay the consideration of the memorial.”

291. The object of that clearly was, that in consequence of the application of Messrs. Monnell, Mitchell, and Co., the decision upon the memorial should be deferred?—Yes.

292. Then Mr. Rochford, as we heard yesterday, has given notice of his intention to demand a specific performance of the original acceptance of his proposal by the Corporation?—Quite so.

293. Now can you give any explanation of the fact that we heard yesterday that the Lords of the Treasury had assented to a lease being granted to Mr. Rochford for the longest period—seventy-five years—at the rent that was fixed for the shortest period—thirty-one years—at a rent of £54, if I recollect, instead of £16. It must have arisen, I should think, from some misapprehension?—It may have been first of all, a misapprehension, but, although a misapprehension may have existed in the first instance, after the reply of No. 3 Committee, it struck me as an example of the grossest carelessness on the part of the officials in London. I think it must have been carelessness, and that is a very important point, because all the messaging of the Lords of the Treasury having a veto is to see that the Corporation will act justly in the discharge of the trust which is confided to them. And here we took a great deal of trouble, and there was a great deal of reluctance manifested to allow the thing to go forward, at £35 a year, which may considered under the value, inasmuch as for the smaller and less valuable portion of it several men were willing to give £40 a year. We considered it a gross undervalue in any case, but then for the Lords of the Treasury to take upon them, out of the way, as it were, of their authority, to still further reduce the value, seemed to us inexplicable. We considered that in pending the memorial forward we did our duty to the Lords of the Treasury, and of course, believed they would not attempt to alter the rent fixed by us.

294. And to impose a lower rent?—Yes; lower than

Deputies
April 28, 1877.
Aldermen
Barrow

was represented to them. It was not ingeniously but ingeniously done in the first instance, because the application that went forward had no right to go forward, in which it was first stated that Mr. Rockford was willing to take a thirty-five years' lease, and afterwards a seventy-five years' lease. This was a peculiar case, in which the larger amount was charged for the longer term, and it was stipulated there should be a large outlay. When the letter of reply of the Corporation was sent specially, saying that they agreed to give a lease to that gentleman for seventy-five years at £260 per annum, I cannot conceive by what means, except gross carelessness, or that the officials in London did not read the letter at all, anything contrary to that could have been approved.

235. From what I remember of the proceedings yesterday, my impression is that when you received that notification from the Lords of the Treasury, sanctioning a lease for seventy-five years, the Corporation replied that they were not prepared to grant a lease at a lower rent for the premises than that fixed by Messrs. Broomston and Gals, which was £305, and you had no communication further from the Treasury—I think you are mistaken. I think, if my recollection serves me, that we had a meeting on the 16th of February, at which this matter was brought forward, and we refused to ratify that letter, and it ended by Mr. Byrne's moving that the letter be referred to a committee of the whole house for their consideration and report. Alderman Gregg seconded the motion, and it was agreed so, with the addition that the members of the house be invited to attend, and on the following day the committee meeting took place.

236. I cannot conceive that the Lords of the Treasury would purposely propose to put on a lower rent than that agreed to by the Corporation.—They did so, though. Since then it made many of the members much more particular in dealing with corporate property. As far as I remember of what occurred yesterday, it was stated that there has been voting done upon that, and there never has been any report made to the Lords of the Treasury since that time, and the matter now lies in abeyance. The resolution was that Mr. Rockford be invited to send in a proposal for the premises in his occupation, and that Messrs. Mossell, Mitchell, & Co., in like manner should be invited to send in a proposal for their part of the premises, and I think the matter rests there. Mr. Rockford sent a reply threatening an action, and I believe that was all that was received from him. The reason I am anxious you should have this matter clearly before you is that you may see how the Town Council may do a great deal of injustice under this by-law. This is a letter of Messrs. Mossell, Mitchell, & Co., addressed to the office of the *Freeman's Journal*, on the subject of their lease 1—

"THE CORPORATION LEASES.

"To the Editor of the *Freeman*.

"13, Townsend-street, January 26th, 1877.

"Sir,—You will permit me to trespass on you in reference to a notice, received to us, which occupied a good deal of the time of the Town Council on Friday last. Mr. Mossell (the Corporation solicitor), had written a letter to the Corporation objecting to the renewal of the lease of the premises in Paternoster-lane to Mr. Rockford on legal grounds. We wrote on the 22nd instant, proposing to take a lease of these premises at the rent of forty-five pounds (£45) per annum. We had previously held them at the same rent from 1855 to 1873 (though Mr. Byrne stated that "we only got it as sub-tenants three years ago"), when we were compelled to give up possession at five years' notice, and we were obliged to pay a fine of about £500 for the loss of goods at other premises, and the under ground premises as it then was, but had to work at the removal some days from 5 a.m. to 11 p.m. Mr. Denbigh stated that "Mr. Rockford had nothing whatever to do with putting an end." This is not true, as both Mr. Rockford and his solicitor will know.

"It was also urged against us by Mr. Dodwell, that our proposal was sent in at the eleventh hour. This is quite true, but it was only at the eleventh hour that we heard the lease was about to expire, and the proposal to renew to the Corporation. Now, sir, as ratepayers, we must object to the decision of the Council in this matter, as being contrary to the 4th by-law which says, that "no property of the Corporation shall be disposed of except by resolution," and also as being against the interest of the ratepayers, as though we were prepared to pay £45 per annum for these premises, yet the offer as a member of the Corporation for £20 per annum is accepted by

preference. It is stated that he proposes to expend £250 on the premises, but even this proposal is not at all equivalent to ours for a lease of seventy-five years. Had we obtained a lease of the premises (though it is not quite correct what Mr. Dodwell says "that we cannot could secure them without rebuilding them," as any one can see), we would in our own interest build and willingly make such improvements as our business would require and we consider that what we have already done to our premises in Townsend-street, shows that we are at least keeping tenants. We propose to make any extension at the cost of a member of the Corporation voting, and as it turns out, carrying the motion by his vote, on a subject in which he had a personal pecuniary interest. We had thought that the advocates which obtain in public assemblies would have restrained such a proceeding. We regret occurring to such of your valuable space, but it is incumbent on us to correct statements that have been made and to explain matters fully to the public.

"We are, &c., your obedient servants,

"MICHELL, MOSSELL & CO."

Witness—That is a very good illustration, and it refers to Mr. Rockford voting on the case in which he was interested. The whole letter shows you how the matter stands. There is another case of a man in Suffolk-street, No. 18; he has certainly only been a year's tenant, and his case is another illustration of the hardship of the rule.

237. What do you say was the other case of hardship?—It was with regard to No. 18, held by Michael Barnes, who paid a large sum of money for the interest in the lease and the good will of the business.

238. When he came in as an occupying tenant?—No; but there was a dissolution of partnership between himself and his partner, and the partner having got premises elsewhere, they entered into competition for those premises. Mr. Barnes was declared purchaser of the premises and stock at a very large price, and shortly after that he was served with notice by the middleman.

239. How long ago is that?—Since the passing of the by-law, within the last twelve months.

300. Is there in the schedule of proposals any application for these premises either from the middleman or Mr. Barnes?—I don't see any.

301. Do you know whether Mr. Barnes desires to get a renewal of his lease in 1880?—I know he is very anxious to get it.

302. Do you know whether any communication on the subject has passed between him and the Corporation?—I am not aware.

303. Or whether any application has been made by the middleman?—I do not know.

304. Do you only draw the inference from the notice served on Mr. Barnes, that the middleman wishes to get the benefit of the by-law?—You see the way the by-law is framed the only person who can get the benefit of it is the leaseholder; and the middleman is the leaseholder without being the occupier.

305. Then would you wish to revert to the old practice of letting by auction?—That would be a very extreme course. I scarcely think the Corporation would go back to that.

306. Then the object of your evidence apparently is to show that some revision of the by-law is necessary?—Yes, otherwise it will operate prejudicially against the parties whom it was intended to benefit. There is another point which I wish again to bring under your notice, namely, the valuation of the premises. From the evidence already given you will see that the letting value is far more than the Poor Law valuation.

307. There can be no doubt but that the Poor Law valuation is infinitely below the actual value?—Yes, and it is no criterion whatever of the value of the property in that particular portion of Dublin. There are some houses in Grafton-street which realise a rent of £100 a year, and they are only valued at £43 per annum. There are also premises in Grafton-street which did belong to a member of this Council, the Poor Law valuation of which is £110 a year. They are in almost the worst part of the street, yet they were let for £200 a year, and £1,000 fine was given for them, not by way of good will of the premises, for they were empty at the time; and available for any business.

308. What number was that?—That was No. 61,

DEBATE
April 25, 1917
Alderman
Harris.

Grafton-street. Messrs. Ogilvy, of 35, Grafton-street, have prepared to purchase, and pay down the money at the present time for their building in Wicklow-street.

309. Is not their proposal to purchase the Grafton-street premises at £5,000?—The Grafton-street premises were valued at £135 a year, and the Wicklow-street premises at £60 a year, making together £195 per annum. They offered for the chief rent that sum of £5,000, to be paid down at once; and considering that the Corporation would be able with that money to extinguish debentures, the amount at the present time would be equivalent to upwards of £5,000. If you take that as chief rent, at four and a half per cent, it would be equal to £250 a year. Besides, Mr. Ogilvy has undertaken to lay out £1,800 on the rebuilding of the Grafton-street house; and taking that at six per cent for the building, it would amount to £300 a year for these premises.

310. The £5,000 would be for the fee?—Yes.

311. The acceptance of that offer would not further benefit the Corporation afterwards, except to the extent of the improvement to the rateable value?—It would in this way,—that with the purchase-money we would extinguish debenture bonds; for all the money that comes in for the sale of real property goes to reduce the debt of the Corporation.

312. Yes, that is clear; but what I say is, the subsequent expenditure on the premises in rebuilding would only benefit the Corporation what they would get for the increased rate on the valuation?—Quite so; but I only wished to give you an approximate of the value of property in the neighbourhood, taking it at the lowest, when this man is willing to pay for his building a rent which would, including the rebuilding, amount to between £350 and £400 a year.

313. It is abundantly clear that the Poor Law valuation is infinitely below the actual letting value in the city?

314. Witness.—What I want to point out is that Messrs. Brinsington and Gale's valuations are somewhat erratic. In making their calculations they do not seem to have followed a consistent scale, for some of these houses are too highly rated, and the rating of others is too small.

315. Alderman Manning.—I want to explain. Messrs. Brinsington and Gale are only called in by our law agent to have a chain upon the occupancy. The Lords of the Treasury are the final arbitrators, and they can send their valuations to the premises. The occupying tenants want no obligation—they only want what a stranger would get. Messrs. Brinsington and Gale, or other valuers appointed by the Government, then of course value the property according to its position.

316. CHAIRMAN.—The question arose as to whether Messrs. Brinsington and Gale's valuations were submitted to the gentlemen asking proposals for new leases, and subsequently it transpired that there was no doubt their valuations were submitted to the parties whose proposals were based upon them?

Alderman Manning.—Yes. In some instances we, the occupiers, were obliged to call in Messrs. Brinsington and Gale, and pay them for their valuation, which was afterwards presented to the Corporation.

317. CHAIRMAN.—It is not a question for us who the

parties are that were called in to value. I suppose the occupiers call in the gentlemen in whom they have most confidence?—In many cases they left it to the law agent to call in who he thought was most suitable.

318. I think it is foreign to our inquiry to enter into that matter. We have it on the more very clearly, that in the first instance a valuation is usually made by Messrs. Brinsington and Gale.

Alderman Manning.—Yes; and the premises are then revalued by the valuator for the Treasury, if it is thought necessary.

319. Alderman Harris.—We think the valuation sent forward by the Treasury is not always the most reliable one. In the very first case you will see the Treasury agreed to give a lease for £30 a year less than the other valuation.

320. CHAIRMAN.—But it is not your view, Alderman Harris, that Messrs. Brinsington and Gale undervalued?—I believe in many cases they did undervalue. In the case of Messrs. Collins and a man named Campbell you asked Mr. Chairman, whether any proposals had been sent in by the tenants previous to the valuation of Messrs. Brinsington and Gale. I am aware that there had. In one case the tenant proposed to give £60 a year, and in the other £95 a year.

321. CHAIRMAN.—I should have thought that the better course would have been that the tenants should be asked to make their proposals in the first instance irrespective of any valuation on the part of the Corporation. They, the tenants, could get anyone to value the premises on their own behalf if they liked. Then the Corporation, before expressing any opinion on the proposal, could get a valuation on their own behalf. That would guide them as to whether or not they should forward to the Lords of the Treasury the original proposal; or, if they thought it should be amended, they could send it back to the parties to increase their offer.

Alderman Manning.—That has been done.

322. CHAIRMAN.—I think it is a mistake to submit the valuation made on behalf of the Corporation to the occupying tenants before they send in their proposals, or for the Corporation to accept a valuation obtained by the tenant.

Alderman Harris.—I think so, too.

323. Alderman Manning.—The occupying tenants have no objection to give the fair value, the same as a stranger would give. They only want to prevent the holdings being put up to public auction, when perfect strangers would come in, and as has been often done before, a course similar to the following would be adopted: A stranger, having bought a house at a high value, would go back to the occupying tenant and try to re-sell it. When they found they could not do that, they didn't pay the rent, and we had to take the premises off their hands.

324. CHAIRMAN.—Alderman Harris wishes to show that the object which the Corporation had in view when adopting the 55th by-law is sought to be set aside by the middlemen.

Alderman Manning.—Well, I think the Corporation will not encourage the middlemen. I believe the middlemen may be entitled to some compensation for money spent, but I hope the Corporation will not oppress the tenant in occupation.

Mr. Thomas
Duckrell, &c.

Mr. Thomas DUCKRELL, &c., examined.

325. I wish to come forward and give you an explanation as to my lease, into the particulars of which you inquired yesterday. I see the statement was made that £400 only was to be expended by me on building. There is no such clause in my lease. On the contrary, I was obliged to submit plans of the buildings, to be approved of by the Corporation. These plans are at present in the custody of the Corporation. They were approved of, and I carried on my building, which cost me £22,000.

326. CHAIRMAN.—The property in question was let to you at £30 a year, when there was a bid from Mr. Burke at £30 a year?—Yes.

327. Can you tell me whether, when your offer to take the premises at £30 a year was forwarded to the Corporation, you bonded yourself, or undertook to lay out any amount of money, and what amount, in rebuilding the premises?—According to the clause in the lease, I was bound to erect premises of double the value of the rep, and the covenant says that if I did not so erect the new buildings I was to pay double rent.

328. What I want to know is, whether you made any proposal to that effect to the Corporation at the time you bid the rent of £30 a year for the two lots?—I did; and submitted the plans which were approved of by the city architect. The plans were drawn by Mr. Carson

of Harecourt-street, and having been approved of by the city architect, were afterwards approved of by the committee.

329. I want to know whether in the meantime, between the time your bidding was first rejected, and the time your second bidding of £200 a year for both lots was accepted, you made any proposal to expend so much money on the premises?—My bid was not rejected. That is the point we are at issue about. A public auction was called in this Council chamber. I attended and bid, and my offer was the highest—£10 a year for each house. Immediately afterwards Mr. Morgan called on me to get me to sign an agreement that I would take out a lease, and to pay a deposit. I paid a deposit, signed the agreement to take out the lease, and then Mr. Morgan, without any notice to me, thought proper to call a second auction and have the property put up a second time.

330. CHAIRMAN.—He did not do so, but he recommended the committee to do so.

Mr. Dockrell.—I was not aware that the committee consented to it—Oh, yes! Mr. Morgan stated that he had called upon me, made me aware that the property would be again put up to auction, and that I consented to it. I contradicted that, and made a declaration to that effect—that Mr. Morgan never intimated to me his intention. I thought it a most extraordinary proceeding, because I considered when I had signed the agreement to take the lease and paid the deposit, I was bound to get the lease. I then threatened to take proceedings to compel the Corporation to grant me the lease. They were conferring no benefit or advantage on me in granting me the lease at the rent I offered. If you look at the rental, you will see that Dock's premises which are immediately adjoining mine, were let at exactly the same rent, £10 a year for rebuilding, some years previous. Dock's premises are in the same street, and within three houses of mine. I refused to attend the second auction.

331. Between the time the lease was put up to auction the second time and the time your original bidding of £200 a year for both was accepted by the Corporation, on the motion of Mr. Byrne, had you made any further proposal contingent on that rent being accepted,

pledging yourself to lay out any specific sum of money?—Not at all; simply because I had, in the first instance, submitted the plans, and bound myself under printed conditions Mr. Morgan got me to sign.

332. When did you submit the plans and pledge yourself to a certain outlay? Was that at the time of the auction?—No; but immediately after I signed the conditions. I got Mr. Carson to draw out the plans, for I contemplated compelling the Corporation to conclude their contract with me; so after I had signed the agreement and paid a sum of money on deposit, contrary to what I might expect, and contrary to common justice, they called a second auction. I could not understand such a proceeding; I was bound to them, had paid my deposit, and had been declared the highest bidder.

333. The plans were not drawn out then till after the second auction. Are you a town councillor?—Yes.

334. And have you been for some time?—Yes.

335. Can you tell me what the practice has been with reference to these lettings by auction? It evidently was contemplated by the by-law that the Corporation need not accept the highest bidder because it says, if the property has been twice put up to auction, and the Corporation don't accept the rent offered, that then they shall be at liberty to take a reasonable rent!—Oh, yes; but they had accepted me.

336. But you see it was contemplated that they need not accept the highest bidder?—Yes.

337. Alderman Manning.—The highest bidder need not be accepted; but if the matter went as far as it did in this case—the deposit being accepted by the law agent, and the agreement signed—it was not contemplated that we could go behind it.

338. CHAIRMAN.—Has any other case arisen in which the party who paid the deposit has been finally accepted as tenant, though there was a second auction after the deposit was made?

Mr. Dockrell.—I never knew it. The payment of the deposit and the signing of the agreement are looked upon as conclusive of the contract, and of the acceptance of the offer. Mr. Morgan had no right to come to me, ask me to sign an agreement, and get a deposit unless I had been accepted as tenant.

DEPOSED.
April 28, 1877.
—
Mr. Thomas
Dockrell, &c.

Alderman JOSEPH MAXWELL EXAMINED.

Alderman
Joseph
Maxwell.

339. CHAIRMAN.—Can you, as an old member of the Corporation, inform me what is the practice with regard to the acceptance or non-acceptance of the highest bidder at these lettings by public auction?—The practice I have always seen adopted was this—If a matter is put up to public competition or auction, the highest bidder in the room generally gets it, unless the law agent of the Corporation, or some members of the Corporation sitting here as a jury, object to the sum offered, and they allow the property to be put up again. This has been done frequently, but in a case like Mr. Dockrell's it has never, to my knowledge, been done. It has never been done in a case like that, where the matter had been perfected to a certain extent by the law agent, the agreement signed, and deposit paid. I have never known an instance of the Corporation going behind the back of a person like

Mr. Dockrell, under such circumstances, and putting the property up a second time to auction. I know two men in this room compete for a house in St. Andrew-street until the occupier was called and let the premises go. The house was knocked down to one of them at what was considered a fair and reasonable offer, but subsequently the occupier came in and offered to give £10 a year more rather than be disturbed. The question was raised whether we could accept the offer, but it was ruled we could not as the occupier was in the room at the time the premises were knocked down, and had let them go from him by his own default.

340. Were you one of those present and voting when the question arose as to whether Mr. Dockrell's offer should be accepted or not?—No.

Mr. DOCKRELL'S EXAMINATION RESUMED.

Mr. Dockrell.

341. Witness.—The matter was brought before the public very prominently at the time by Mr. Morgan, in a letter in the *Free Press's Journal*, to which I replied and perfectly satisfied the public. I got no advantage, I took no advantage, and to show you I had no advantage I may tell you that within the last two months I have taken premises adjoining at exactly the same ground rent, on the undertaking that I will build. The premises suited me, being Nos. 45 and 46, Lower Stephen-street, immediately adjoining Nos. 47 and 48.

342. Have you taken Nos. 45 and 46 from the Corporation?—Oh, no; the agent is Mr. Fetherstone, solicitor, Chancery-street.

343. What was the valuation of the premises you held from the Corporation before you rebuilt them, and what is their valuation now?—The premises for which I pay £30 a year to the Corporation were, when I got the lease, valued at £45 a year. Since then I rebuilt them at an expenditure of £2,000, and their present valuation is £93.

344. What was the value of the other houses you have taken—Carroll's and Nolan's—Nos. 45 and 46?—They are valued at £44.

345. And for these you are to pay £30 a year?—I pay £30 a year, because they have a larger frontage than Nos. 47 and 48; but having regard to the ex-

that of fringing, the ground rent is exactly in the same proportion as that I pay the Corporation.

340. Have you had out any money on Nos. 43 and 44 yet?—Not at present. With regard to repaving the houses Nos. 47 and 48, Mr. Morgan, backed up by the opinion of the city architect, at first represented

that they were in such a condition that they could not be repaved, and that in fact the tenants had gone out of them. As to the letting itself, I beg to say I was under no compulsion to the Corporation in any shape whatever. I came to the auction to bid and I was actually declared the highest bidder.

Mr. JOHN MARTIN examined.

347. CHAIRMAN.—Are you assistant to the town clerk?—Yes.

348. Are you at present acting as town clerk?—Yes.

349. Will you tell me, as nearly as you can, what are the salaries and duties at present attached to these offices—that of the high-constable, who is also billet-master, and that of the officer of commons, who is also the water-bailiff—now, first as to the high-constable?—The high-constable has £160 a year. I shall read as to the high-constable and billet-master's duties the return dated from his office in William-street, the 1st July, 1862. (This is in meeting of special committee to report on the duties of the officers, and the salaries of the officers of the Dublin Corporation.)

350. Has there been any change in the salary since then, and are the duties of the billet-master the same as in 1862?—There is a later report.

351. Mr. BARNES.—There is another one, but it is only the old one repeated.

352. This, then, it appears, is the latest information on the subject?—Yes.

353. If I read the following extracts from the report you refer to, you can tell me if any of his duties are omitted. The first is a letter from Francis Downing, high-constable and billet-master, to Alexander Farquhar, then the town clerk:—

"Sir,—In answer to your circular requesting an account of the nature and extent of my duties as high-constable and billet-master, with my present salary, and date of my appointment, I have to say that my duties as high-constable are—To wait on the Lord Mayor every day at the Mansion-house and receive his commands, to accompany his lordship on his rounds through the markets, opening common-carriage, horse, bullock, and all public enclosures, to provide military lands for his lordship's banquet; to visit all public places of amusement, and see that no improper exhibition is opened in Dublin, &c. My duties as a billet-master are—To issue tickets to all soldiers and recruits who may not have barracks accommodation, and direct their routes. It is not so much the quantity of business in this department that I would draw attention to, as to the length of time required; I was obliged to attend the billet-office every day, and frequently to a late hour in the evening, as it is uncertain at what time and in what quantities billets for troops, recruits, &c., may be required. The date of my appointment is August, 1848, in which time my salary was fixed at £10 a year; in 1851 it was in-

creased to £30, and in 1858 it was further increased to £70, so that as the charge upon a small salary was £45 per year. My predecessor had £100. Since my appointment the business of the billet-office was largely increased in consequence of the Indian and Chinese wars.

"I have the honour to be, Sir, &c.,

"THOMAS DOWNING."

Now can you tell me the date when the salary was raised to £100 a year?—In 1858, the following year.

354. Were there any fresh duties added to those he held before, which led to the increase?—No, I never heard of any. His predecessor had £100.

355. But this committee who were appointed on the 2nd of March, 1862, to inquire into the duties and salaries of the officers made, it seems, a recommendation—or an order, as it is called here—that the high-constable's salary be included in schedule, and the increase was not recommended. The following year, you say, it was increased to £100 per year, and further on I see—

"Councils (The present Lord Mayor) gave notice—that the case of Francis Downing, high-constable and billet-master, be recommended, with the view of adding £25 per annum to his salary."

That was on the 21st of August, 1862. So that, in fact, that recommendation was included on the part of the committee, and his salary was so increased in the following year?—Yes.

356. Now, I had better go through the officers here reported on with you, so far as they are included in this inquiry. We next come to the water-bailiff. At page 78 of this committee's report, I see a report from Messrs. Byrne and Reddy, water-bailiff, stating what their duties are and their salaries. I will just read the duties, and you can tell me whether they remain the same now. (Reads)—

"The officers have charge of the plant with which the coal, salt and potato ships are supplied, consisting of boats, scows, tugs, &c. The officers act as arbitrators between buyers and sellers, they report upon offences, and examine witnesses before the police magistrates; they issue summonses for river and shipping acts, which are contrary to the law; they attend before the Lord Mayor when disputes arise between buyers and sellers, when such disputes are not submitted to arbitration; and they are actually engaged in other duties. The salary of the officers is £200 per year each."

Mr. LARSEN examined.

357. CHAIRMAN.—You are, I believe, secretary to Committee No. 24?—Yes.

358. Have not a good many of the duties specified in that report on attached to the office of water-bailiff ceased to exist?—Quite so. The present duties of the water-bailiff are:—

"To attend the quay on all public days, on on waiting for ships, to assist part of his lordship's company for other days, the officers and clerks's power for waiting for ships, to examine all boats of all sizes, general and post companies, and to attend each market day, and whenever his lordship thinks proper to walk, to keep the signals of the guard, and the sentinel that presides at waiting for ships."

359. Surely, they are not now required to perform these duties?—No, but they are their duties. Then, these officers have charge of the plant with which the coal, salt and potato ships are supplied, consisting of boats, scows, tugs, and so forth. (If these then enumerated the duties set forth in report of No. 2 Committee, already read by Chairman.) That being a report of the Committee, they add a great many more things not the water-bailiff's duty. (Reading from continuation of report):—

"The officers are bound to attend the office in person, and they severally remain on the quay, or see that from sunrise to sunset, and consider it their duty to attend the Lord Mayor when his lordship attends at the river in his official capacity; also to protect the officers from fraud in the irregularity of weights or other frauds that may be committed on the quay or river, and to bring the delinquents before the Lord Mayor; in tedious all processes before conviction; and to have at all seasons of the year a sufficient supply of the plant."

In addition to the above duties, one of the water-bailiffs acts as inspector of the weigh-boards on Burgh-quay, Eden-quay, and City-quay. He has also charge of the life-buoys placed along the river. He superintends the making and repairing of all the plant. The salary of each of them is still £200 a year. Mr. F. J. Byrne is still in office; he was appointed in 1843. Mr. J. Murphy was appointed in February, 1873. In the first instance, on probation, he got £100 a year, which was afterwards increased to £200.

360. What document are you giving these particulars from?—The report I made for the Lord Mayor for the purpose of giving the duties of all the officers attending my department. For these inquiries I got together a variety of information, and abridged it. Portions of these details are taken from the original report and portion taken from other sources.

361. Mr. MARTIN.—Was not Mr. Murphy in office from 1867?—Yes.

362. CHAIRMAN.—What is meant by "attending the river"?—In the good old time, before the introduction of the metropolitan police, there was a very divided jurisdiction; the Earl of Meath had a jurisdiction; the Lord Archbishop of Dublin had a jurisdiction; and they used to occasionally meet and obstruct each other, and then there were the Lord Mayor's footmen.

363. That is not the case now, you know?—No; but if the Lord Mayor required them to perform the duty they should do so.

Mr. LARSEN.

Mr. MURPHY (Water-bailiff), examined.

364. CHAIRMAN.—Are all ships coming into the river with coals, salt, or potatoes, supplied with scales, &c. &c. Not every one of them. All coal ships are supplied by us. For the last twelve months we supplied 1,812 ships laden with coal.

365. Did you supply ships laden with salt or potatoes?—There were not more than ten or twelve of those altogether. On account of that there are four large steam cranes erected on the quays now, and they discharge the cargoes, which does away with our duties. The salt comes into port now in blocks, a great number of which are weighed in our weigh-houses. I supplied myself for the last twelve months 1,812 ships with salt; and I superintended the discharge of these 1,812 ships, and I had to supply all the beams and weights.

366. Did they pay you?—No, the collector, Mr.

Charles Palgrave, collects all these fees in the Custom House, and it forms a portion of the borough fund to close on £5,000 a year.

367. Mr. Curtis.—You mistake; it only comes to about £2,200. Mr. Palgrave is the collector, and his duty is to pay into the city treasurer's office the amount he collects; and in the aggregate, or at least on an average, the yearly amount does not exceed £2,200.

368. CHAIRMAN.—Is not £144 7s. 3½d. of this amount in respect of the fees payable to the water-bailiffs?

Mr. Lalar.—It is; the Lord Mayor does not get any portion of this now. Under the old system, when the water-bailiffs were paid their fees in respect of the duties performed by them, is the last quarter the fees amounted to £387 between them. Then in lieu of all three fees they get a fixed salary of £200 a year.

Mr. MURPHY's examination resumed.

369. CHAIRMAN.—Do you and your colleague act as arbitrators between buyers and sellers in the case of disputes, which are not otherwise submitted to arbitration?—Yes; there are disputes about the quality of the coals, and about the weighing of the coals, and we act as arbitrators.

370. Are you engaged upon the quays?—Yes, on the quays, as well as supplying the plant.

371. What number of hours a day are you so engaged?—From about nine in the morning until six in the evening.

372. Are you engaged every day?—Every day in the year.

373. Are you both engaged?—Sometimes Mr. Byrne has not been able to attend; he is an old man of eighty.

374. CHAIRMAN.—(Reads).—

"The officers are bound to attend the office in person, and they severally reside on the quay, or use their best exertions to do so."

Are you the inspector of the weigh-houses?—Yes.

375. And have you charge of the weighing of the coals, &c. &c. These are extra duties; I receive no extra salary for that.

376. Have there been added to your duties recently?—They have.

377. Mr. Lalar.—There is a cooper employed in the

yard to make and repair the tubs, and Mr. Murphy sees they are properly done.

378. Witness.—I have effected a saving of £80 a year to the Corporation by superintending the making of the tubs.

379. Mr. McEvoy here suggested the examination of Mr. Tedcastle, coal merchant, Dublin, who he said was not in attendance as he did not wish to give evidence without being summoned.

380. CHAIRMAN.—Can you give me the nature of the evidence of Mr. Tedcastle?

Mr. McEvoy.—I think it will be shown that there has been a great change in the matter of dealing in coals. The coal merchants now get in their coals from their steamers or large ships and do not require these tubs and scales.

381. Witness.—There are only two steamers of Mr. Tedcastle's, Mr. McEvoy, that do not use our tubs. They pitch the coal on the quays, and do not bring it in to be weighed inside.

382. Mr. McEvoy.—Here is another person present who can give evidence on these points in Messrs. Tedcastle's absence.—Mr. Altman.

383. CHAIRMAN.—Very well, if he has any material evidence to give bearing on the water-bailiffs' duties I shall be happy to hear him.

Mr. ALBERT ALTMAN examined.

384. CHAIRMAN.—Have you been able to form any opinion as to whether or not the duties performed by the water-bailiffs in supplying this plant to the coal ships is as much required as it was some years ago?—It is certainly not required.

385. Why?—They provide their own weights.

386. Who supply their own weights?—Messrs. Tedcastle have their own weights, and bring in nearly all their coal in their own steamers.

387. Are Messrs. Tedcastle the largest coal merchants in Dublin?—They are reputed to be.

388. Do you say they do not avail themselves of the weights supplied by the water-bailiffs?—I know as a matter of fact they do not.

389. Is it not required that they should be supplied to all persons discharging coals on the quays?

Mr. Lalar.—The rule is, if merchants discharge their cargo into their own stores, they are bound to use the Corporation weights. If they wish to avail themselves of the Corporation scales, the Corporation are bound to give them; but you cannot force a man to make use of a convenience for which he has to pay.

390. Mr. Murphy.—It is only in the case of two steamers which discharge without weighing that Messrs. Tedcastle do not use the scales.

391. CHAIRMAN (to Witness).—Is this what you mean to say—that in consequence of the large quantity of coals now coming into Dublin by steamers, and Messrs. Tedcastle, the largest coal merchants having taken to bring in their coals by their steam vessels they do not require the services of the water-bailiffs?—Not to the same extent as formerly.

392. What is your business, Mr. Altman? Are you a coal merchant?—No; I am a salt merchant. The Corporation have three cranes or weighing machines, on Eden-quay, Burgh-quay, and City-quay; and there have been some disputes recently concerning the accuracy of these weighing machines. It is not believed they are accurate to the same extent as formerly. I tested the accuracy of these machines. On the 26th of March I had a cargo of salt. I loaded a dray with block salt, and went with the drayman to see that nothing escaped on the road from one weigh-bridge to the other. The first scale it down as 35½ cwt.; I came to Burgh-quay, and it is 36 cwt. in the gross; on City-quay the gross is 39½ cwt. Again, in the tare—the first man says 8 cwt. 0 qrs. 14 lbs., the next 8 cwt. 1 qr., and the next 8 cwt. 1 qr. 14 lbs. They all disagree in the tare.

393. Mr. Murphy.—That has nothing to do with us, Mr. Altman.

394. Witness.—Oh, it has; you are the supervisors.

395. Mr. Murphy.—We are not.

396. CHAIRMAN.—Was not the last duty imposed on you, Mr. Murphy, to see to the weighing on these quays? Mr. Murphy.—To check the blocks, that's all.

397. Witness.—Mr. Murphy has stated he goes round and superintends the discharging of cargoes. I have brought in thirty cargoes of salt and have been at the discharge of every cargo of my freight, and Mr. Murphy's presence has never been seen from morning till night.

398. Mr. Murphy (to CHAIRMAN).—That is an untruth.

DUBLIN,
April 12, 1877.
—
Mr. Alderman
Altman.

389. CHAIRMAN (to witness).—How long have you been in trade as a salt merchant?—Five years.

400. Have you availed yourself of the plant supplied by Mr. Murphy?—It is not our duty; it is the duty of the captain of the vessel, and he generally does it.

401. Have the captains of vessels bringing in your salt generally availed themselves of the plant supplied by the water-bailiffs during those five years of your experience?—Sometimes; they say they have not the proper tools for salt, which causes inconvenience, and causes a lot to be spilled.

402. Have you complained in consequence of that to the water-bailiffs?—I have gone over on three different occasions, and they said they could not help it—that they had no others.

403. Was that within the last twelve months?—One occasion was within the last twelve months.

404. Was Mr. Murphy the person you then saw in the water-bailiff's department?—No.

405. Did you never see Mr. Murphy or Mr. Byrne on the quays?—I have seen Mr. Murphy occasionally; but it is only within the last twelve months, I think, I know him as a water-bailiff at all.

406. Until you saw him, how could you tell whether or not he was on the quays?—Because, knowing him since then, I have a distinct recollection he never came on board any vessel of mine.

407. Do you speak positively, however, from the time you knew him by sight?—I speak positively of the thirty cargoes I brought in.

408. Have there been brought in within the last five years?—Yes.

409. Can you say you never saw him on board those vessels?—Yes.

410. Nor his colleague Mr. Byrne?—Yes.

Mr. Murphy.

422. CHAIRMAN.—Now, Mr. Murphy, you have heard the evidence given by the last witness. Can you say whether or not, you have ever been on board any of his vessels?—If he mentions any vessel with salt, I can swear that I have.

423. Will you undertake to say that every vessel which has discharged a cargo of salt since you have been water-bailiff has been visited by you?—Except vessels which have discharged with the steam-crane, and so not weigh it out; or with block salt, with which several vessels come in and do not weigh it out, and with which I have no authority whatever. I should wish, too, to say, sir, as regards the weighing machines, this gentleman (indicating Mr. Altman) was brought up by the clerk of the markets, and fired by the Lord Mayor in the sum of £5, for having an incorrect weighing machine; and to make a note before the Lord Mayor, he brings a load of salt round to each weighing machine. I had the weights tested by the clerk of the market, and they were quite correct.

424. I am informed that no vessel comes in exclusively with block salt; is that so?—I have known some—indeed several.

425. Mr. Altman.—There was only one case occurred within the last two years.

426. CHAIRMAN (to Mr. Murphy).—Can you undertake to say, absolutely, that every vessel that has discharged a cargo of salt on the quays has been visited by you in person?—I will swear to that.

427. Because it is, you know, part of your duty to discharge your office in person. Where is your new office?—No. 9, City-quay.

Mr. McEvoy.

437. CHAIRMAN.—How do you show that paying the water bailiffs by salary works a loss to the Corporation?—I have worked the figures out in the city accounts. The water bailiffs were formerly remunerated by fees—they are now paid by salary.

438. But their salary is very much less than they would formerly have got by fees which now go into the public purse of the Corporation for the benefit of the

Mr. Murphy's examination resumed.

411. Mr. Leifer (to witness).—Have the cargoes been discharged on the quays?—Yes.

412. Mr. Leifer.—Not in the Custom House?—For the last two years in the Custom House.

413. Mr. Leifer (to the CHAIRMAN).—The Corporation have no authority in the Custom House; it is in private docks, not on the quays.

414. CHAIRMAN.—But what he says is this—that he has been supplied with the weights all through.

415. Mr. Leifer.—I am afraid there must be a mistake. They have often gone to them in the Custom House, but never got them.

416. CHAIRMAN (to witness).—You say the weights have been supplied by the Corporation. Was this done by the water-bailiffs or by their deputies?—They were given on the City-quay.

417. How did you become acquainted with Mr. Murphy's personal appearance?—Since the accuracy of those machines has been disputed. Mr. Murphy was only pointed out to me nearly six weeks ago by Mr. Carter, one of the weighmasters, as a water-bailiff. I knew his appearance some months previous to that.

418. I thought you said just now you had known him as a water-bailiff only about twelve months. How can you undertake to say he has never been at the discharge of any cargo of yours. Can you undertake to say you have been on any of your vessels except those connected with the ship?—I can undertake to say that.

419. Mr. Martin.—There is one question I would like to ask, Mr. Chairman, whether the weights he received from the water-bailiff's deputies were accurate?

420. Witness.—We never test them; we take it for granted they are correct.

421. You have never tested them?—Never; there is no means of doing it.

428. Is there any weighing machine at your office?—No.

429. Was it after Mr. Altman was fined by the Lord Mayor that he took round this load of salt to the city weighing machines?—Yes.

430. Mr. McEvoy.—I would like to give some evidence as to the financial part of these water-bailiff's duties. This report that I hold in my hand is a report made by Alderman Joynt in 1867.

431. Do you wish to put in this report of Alderman Joynt in evidence?—I would, to show the working of the system in the financial point of view.

432. That is not one of the matters referred to us. What we have got to inquire into is—what the duties of these officers are, and what are their salaries. If you wish to put in that report of Alderman Joynt we will take a note of it, and look it over to see if it has any bearing on the questions referred to us. But first tell me what was done upon that report. Was this a report made by him officially to the Corporation?—Yes.

433. Was there any action taken on it by the Corporation?—Oh, there was; the result was the removal of Mr. Reilly, who had been water bailiff up to that time.

434. Mr. LEVINGS.—You see we have not got to inquire into the conduct of the officers at all.

435. Mr. McEvoy.—The present system of paying the water bailiffs by salaries, works out a greater loss to the city than the old system of paying by fees.

436. CHAIRMAN.—If you can work that out I can take your evidence on that, if you wish to give it.

Mr. McEvoy examined.

437a. T.—The total cost of the water bailiffs' department in 1869 was £679—that included everything connected with the department. In 1875 the cost was £980. An ex-officer gets £100 a year.

438. How did the ex-officer come to get £100 a year?

Mr. Leifer.—He was superannuated.

Mr. McEvoy.—Under the old system, if they superannuated an officer they should do so at their own expense.

DECEMBER
APRIL 16, 1877.
Mr. Francis
Morpurgo.

party. Lately they have taken individual cases to a committee of the whole house, which has given rise to great irregularities, as they have frequently been sent back to the committee.

469. By the by-law of 1851, was not all the property as it fell in to be put up to public auction?—Yes.

470. What was the practice prior to that?—There was no fixed practice, except that we advertised the property, and the lease committee made an inspection of the place so as to put a value upon it. No. 3 committee was the lease committee.

471. Then prior to 1851 there was no defined practice?—No, they simply advertised the property, and the committee inspected the premises.

472. Do you mean to say the committee went there for the purpose of valuing the property?—Yes; at least for the purpose of forming an opinion of their own upon the value of it. The inspection of the property was sometimes omitted. It was always advertised to be put up to public bidding. From 1844 to 1854 it was the custom during that time for the gentlemen to sit round the table and open the written proposals.

473. Am I to take it that from 1844 to the passing of the by-law in 1851, the practice was to instruct you to lease advertisements, when the committee who had charge of the leasing would generally go to view the premises for the purpose of valuing them, after which, upon receiving written tenders, in answer to your advertisements, they would sit and decide upon them?—Yes, precisely.

474. Was it originally referred to you in the first instance to put a value on the property?—I took care to examine the property myself, and to send in a report as to what rent it ought to be let. That was the practice previous to 1844.

475. Previous to that time were they in the habit of getting the property valued by any professional valuers?—Oh, no; they did not do so. As long as I remember the property was let by public tender. This competition was sometimes mischievous—persons attended the bidings in order to get leases. The system worked tolerably well, but persons were known to come up to parties who wanted to get the property and say to them that they would bid against them, and even in the room they were seen to get money not to bid.

476. Was it one of the causes that actuated the committee in getting the alteration of the by-law last year?—No; the alteration of the by-law last year was a matter of necessity, as it was felt we could not get on, that our wheels would become clogged. I wanted to have the by-law repealed as regarded the letting by auction, but the town clerk was of a different opinion, and suggested the alteration of the by-law.

477. If you had repealed the letting by auction what would have been your suggestion?—My suggestion would be to return to public bidding.

478. And how do you distinguish between public bidding and public auctions?—There is no distinction.

479. Then why would you repeal the by-law?—Because there were twenty-six valuable houses about to fall out of lease. These houses had been rendered of great value by the occupying tenants, and it was considered a great injustice to subject these persons to the test of an auction. A memorial was prepared to the Lords of the Treasury to have these cases dealt with by a different mode of valuation, to have a Government valuator or a professional valuator to put a value on the premises. What I proposed will appear in a written report which I prepared, in which I pointed out how these cases should be dealt with.

480. What I understand you to say is this, that you would desire to adhere to the practice of putting up the property to public competition, except in those exceptional cases of the houses that are about to fall out of lease in Grafton-street and Suffolk-street, which had been greatly increased in value by the occupying tenants; that in your opinion it would not be fair to expose them to public competition by auction, but that a valuation should be made either by a Government

valuator, or by some other approved mode of ascertaining the value, and that then the occupying tenants should have the option of getting a new lease upon that valuation if the Corporation were satisfied that it represented the actual value?—Precisely; that there should be an open way of obtaining the value.

481. That is what you would have substituted for the old by-law?—Yes. My proposal is in writing. The suggestions I enclose are in writing. (See Appendix, No. 13, p. 367.)

482. I should like to see those suggestions?—They were to the effect that I urged the necessity of promoting the repeal of the 55th by-law, and recommending for assent of the Treasury to grant a writ of habeas corpus to each person entitled to profit rent pending duration of present interest.

483. In what way do your proposals differ from the amended by-law?—That by-law renders necessary to every application to the Treasury, that I believe they will ultimately refuse to attend to them. There will be 300 leases to be made out upon our property, and in all those separate memorials will have to go to the Treasury. The delay in getting an answer from the Treasury is very great and sometimes the reply is very unsatisfactory.

484. CHAIRMAN.—(Having read 55th by-law.)—Would you agree to all that is here with the exception of the reference to the Lords of the Treasury?—Oh, I don't object in the least to a reference to them; but I object to go to them on every small matter. What I say is, that an established mode of valuation would be desirable—it would relieve members of the council from any impatience with regard to these properties or being constrained to act in a particular way. My opinion is, that the Treasury should appoint some recognised tribunal to value these properties, whose decision would be recognised as final.

485. You consider that there should be a competent valuator regularly appointed, and better still, that he should be appointed by the Lords of the Treasury?—Decidedly.

486. What you do desire to be the subsequent reference in each instance to the Lords of the Treasury?—Yes; upon every small matter. My construction of the by-law upon that point is, that we find it necessary to go on the smallest fiddle-fiddle to the Lords of the Treasury—that it takes three months before a memorial can be sent off, and one month before we get an answer.

487. Previous to the amendment of the by-law, would the custom of the committee who then had charge of the leasing of the property to refer the highest bidding to you for a report before it was accepted?—After the bidings took place I generally furnished a report as to the parties who had bid—who they were, and what they were; and I also stated what, in my opinion, was the value of the property, and then left it with the committee to decide what course they would adopt.

488. If they were substantial parties, then you would, if they offered the full value, recommend that to be adopted as tenants?—Sometimes they were very objectionable parties who offered, but if they were eligible parties who offered, and that they proposed to give the full value, or what I considered the fair value, I recommended their proposal to be accepted. If they did not offer the full value, and that I thought the Corporation would suffer by the transaction, then I recommended its rejection.

489. Your report, therefore, in the case of Mr. Dockrell, was not an exceptional one?—By no means; and I should hope Mr. Dockrell is of the same opinion. I could not have the slightest objection to Mr. Dockrell, but I did not think he offered the fair value of the premises.

490. Mr. Dockrell.—I think I may now hand in a document to show what my feelings were with regard to Mr. Morpurgo were.

491. CHAIRMAN.—As I said yesterday, it is a pity to impute motives where perhaps none exist.

492. Witness.—So far as the imputation is made that there was an objection on my part to Mr. Dock-

rell, I can safely say it is without foundation. It was stated that I went behind the back of Mr. Dockrell and set this up twice. Now, I am able to show that I had an order of the Committee for everything I did. I have known Mr. Dockrell for years, and I have not the slightest objection to him, and could not have, and so on could have.

493. Mr. Dockrell.—A very serious imputation was laid to my charge at the Council by Mr. Morgan. We had a public correspondence upon the matter, and I am happy to say that public opinion was in my favour. I may now state that shortly after the setting by public auction, when Alderman Dardin, Lord Mayor at the time, had declared me the highest bidder, Mr. Morgan drew up his contract, and got me to sign it, and to pay the deposit.

494. Witness.—Now, if we are to go into these small matters, I am prepared to upset all this.

495. CHAIRMAN.—Mr. Dockrell, you yesterday got an opportunity of explaining why it was the Committee accepted your offer for this property. If you wish to make a further explanation, after hearing Mr. Morgan, I shall give you an opportunity of doing so. What I am now inquiring into is whether, after the property had been put up to auction, and the highest bidding received, it was an exceptional course for Mr. Morgan to recommend it to be put up again, or whether he was not in the habit of advising the Committee to the effect, whenever he considered the highest bidding should not be accepted. He states it was not an exceptional course, but his usual and customary one.

496. Witness.—When the premises were first put up I considered the bidding did not amount to the full letting value, and, therefore, I recommended that it should not be accepted.

497. And were you expected by the Council to say so in your report?—Yes, and I did so. I have my written report here.

498. It was stated yesterday that although it was customary for you to make a report to the Committee upon these biddings, and for them to act upon that report, it was not usual, when a person had made a bidding, and that bidding was so far accepted that a deposit was paid, then the property should be put up a second time to auction. Can you give us any explanation of how it was that after Mr. Dockrell had signed the agreement, and paid £5 deposit, the property was again put up to auction?

499. Mr. Dockrell.—I am prepared to give my sworn testimony to that effect.

500. Witness.—I don't question for a moment but that Mr. Dockrell fully believes that, but luckily I have everything in black and white, and that is better than anyone's memory.

501. CHAIRMAN.—The explanation we want from you is this: why, if Mr. Dockrell signed the agreement and paid the deposit, the property was again put up to auction?—When it was first put up it was withdrawn for insufficiency of bidding.

502. Was that the time that Mr. Dockrell offered the £10 for each house?—He was the only bidder.

503. Did he not bid Mr. Dockrell at your request or with your knowledge sign an agreement for these houses at £10 a year each, and pay £5 deposit?—He may have done so on a subsequent day.

504. Was it before or after it was put up the second time for auction, that Mr. Dockrell paid the £5 deposit?—I fancy it was after they were put up a second time.—Indeed, I am sure the deposit would not be received from him, except it was to be a final transaction.

505. Would it be received by you?—It would be received by the treasurer upon my requisition.

506. Was it before or after Burke had offered the £12. Burke offered £12 each for the two houses, and you reported against the acceptance of that?—I did not report against the acceptance of that. The second bidding was brought forward for the consideration of the committee. This is my report, dated 27th July, 1872:—

"27th July, 1872.

Deacons.

April 26, 1877

Mr. Francis Morgan.

"Grosvenor Nos. 47 and 48, Lower Stephen-street.—Late John Holmes's holdings.—A. R. 335 and 336.

"Mr. William Burke, who had upon 27th inst. paid £12 per year for both the above lots called at my office on 27th inst., accompanied by his solicitor Mr. Goldsmith, and stated that he would accept leases of these lots at £15 per year each, provided that Mr. Dockrell, &c., who had accepted the estates in the name of under-tenant to the late John Holmes would accept a sub-lease of the same portion from him (Mr. Burke) at £12. Mr. Burke signed a letter to that effect, which I forwarded to Mr. Dockrell, who replied by letter declining that proposition. Mr. Burke has this day called at my office, and proposed to take a lease of both lots at £15 each signed letters of proposal, and deposited £7 10s. as one-fourth of the last year's rent, £50, on both lots. Mr. Burke has lately moved a well-built new cottage, in which he resides in Upper Dandin-street. I believe him to be an industrious tradesman, and I recommended his proposal to be reported to the Council for acceptance.

"FRANCIS MORGAN."

507. That recites that Burke had paid £7 10s. deposit. I want to know whether before that Mr. Dockrell had paid £5 deposit?—I am quite sure he had not. I would not have taken it. I have here a further report to the committee, dated 2nd August, 1872, which was as follows:—

"2nd August, 1872.

"To the Chairman and Gentlemen of Committee No. 2.

"FRANCIS MORGAN.

"Report of Francis Morgan, Law and Land Agent.

"Late A. R. 335 and 336.—Late John Holmes's holdings. Nos. 47 and 48, Lower Stephen-street.

"According to my report of 27th ult., and your committee's subsequent decision of same date, I have further to report that I had by letter of 28th ult. accepted Mr. Thomas Dockrell, &c., of the substance of your committee's minutes of 27th ult., and returned to Mr. Dockrell by two written forms of agreement, dated 27th June last, and his receipt in favour of my treasurer for £5 deposit of one-fourth on the holdings of £10 each, made on the latter date for both the above lots of ground on building lease for seventy-five years. The two forms of agreement and charges have been sent back to me with a letter from Messrs. Motley and Warren as solicitors for Mr. Dockrell. I will please to forward the right to act so as to be easy to advise. I have also accepted Mr. William Burke, who had paid £10 per year for each of said lots at auction, and subsequently proposed £15 for each, of your committee's decision of 27th ult. Mr. Burke called at my office yesterday, and signed a receipt for his deposit upon £7 10s., which I then returned to him at his own request.

"I have further to report that upon the 2nd inst. I attended to inspect the above holdings, accompanied by Mr. John Glan, Clerk of Corporation Works, with a view to ascertain whether if the two recent leases Nos. 47 and 48, Lower Stephen-street should be taken down, and their materials piled at the expense of the Corporation previous to the ground being again advertised for letting as building lease, the said materials would repay the expense of removal. Mr. Glan upon that occasion stated to me his opinion that the judicious expenditure of about £300 in prompt removal of the materials of both front houses, including any dry rotting of such would render them sufficiently staunch to be let on long lease for twenty years. I have therefore conferred with Mr. J. S. Butler, City Architect, who concurs with Mr. Glan in opinion generally as to the expense and efficacy of such outside repairs, &c., viz.,—

"No. 47, being in better order than No. 48, will cost £250.

"No. 48, being more dilapidated will cost £300.

"I have no doubt that if put into repair:—

"No. 47 would cost at from £55 to £65.

"No. 48 do. do. £25 to £35.

"And that the estates at the rate as here is comparison of Mr. Dockrell on under-tenant to the late John Holmes, would rent separately from £10 to £15 per year on lease for thirty-one years. According to the opinion of the Right Honourable A. Bouverie, &c., obtained in 1825, the Corporation can with consent of the Council legally apply the borough fund in repaying and satisfying the amount due to the above coming into their actual possession upon termination or expiration of lease. I therefore advise the consent of that power by your committee's directing the City Architect to furnish a specification of the outside repairs necessary in some such of the two houses Nos. 47 and 48, Lower Stephen-street for thirty-one years, and also state the probable expense of such repairs, that same be made with sanction of the Council by contract after public advertisement, or with prior certainty and, solely under direction of your clerk of works, and that your committee pay for each not less than £10 per year for the said two estates in two of Nos. 47 and 48, as lately in comparison of Mr. Dockrell, to one to which proposal to accept a lease of same for thirty-one years from 25th March last amount to commence from 1st June last. Mr. Dockrell's tenancy for ten months, pending redemption, having expired on 27th May last, since when he has retained in charge to continue for the Corporation; but if your committee shall not recommend the houses to be repaired, and let for thirty-one years, I adhere to the opinion expressed in my report of 26th June last, that the ground comprised in each of the above lots is worth £15 each on building lease for seventy-five years, with right of passage.

DEMON.
April 16, 1877.
Mr. Francis
Morgan.

"*Says.*—Mr. Dockrell has constructed a strong gate, fastened on the inside, across the common highway under the house No. 42, Lower Stephen-street, at a distance of about sixty-three feet from the front doorway, and so enclosed the southern portion of the highway and the passage to the rear of the houses Nos. 47 and 48. Mr. Dockrell shut and locked the gate to the Corporation his gate must be removed about thirty feet southwards, or direct passage given through it.

"*FRANCIS MORGAN.*"

508. *Witness.*—Mr. Dockrell sent in a cheque along with his proposal. Each was in my opinion irregular, and both were refused and returned. He knew that he had friends in the house able to carry him through it. I mean to say, that he considered £10 a year for each house, with what he intended to lay out upon the premises, and what he has already laid out, was a very ample offer; but I differed with him in opinion, and it was my duty if I did not agree with him to report accordingly to the committee. The result has been nothing to be regretted. He has built substantial stores, and buildings, and improved the property very materially.

509. *The result, you say, is, that the Corporation have not suffered by letting the premises to Mr. Dockrell?*—I consider their estate has not been injured in any way by letting it to Mr. Dockrell.

510. *Are you quite clear that his deposit was not paid when he made his first proposal?*—He may have sent in his cheque with his proposal, but that is not finally accepting it at all. The deposit is sometimes paid, and a conditional receipt given by the treasurer until the offer is confirmed by the Council.

511. *Mr. Dockrell.*—Mr. Morgan will, I am sure recollect, that he had an interview with me in my house in George's-street, that immediately after the first auction he got me to sign an agreement and to sign a cheque for £25, which I handed to him.

512. *Witness.*—As to getting you to sign an agreement or a cheque, I don't think you are a mere machine in business that is to be got to do anything except what you wish. I remember very well going to your house after the first auction and telling you that I intended recommending the committee not to accept your offer as I considered the bidding was insufficient.

513. *CHAIRMAN.*—First of all, Mr. Dockrell says he signed an agreement, and gave a deposit of £5 on the quarter of the first year's rent, which you say if it was accepted would be binding. It is quite clear by this letter that Mr. Dockrell sent in a £5 cheque.

Witness.—Mr. Dockrell sent in a proposal and signed a cheque for £25, and both were returned as insufficient.

514. *What I want to know is, whether or not you informed Mr. Dockrell at the time of his bidding being considered insufficient, because he says the cheque was given to you?*—If Mr. Dockrell recollects that as a fact I will admit it.

515. *Can you say whether you told him then that you had recommended the committee not to accept the bidding?*—I did. I recommended them not to accept £10, nor less than £15; and that I told him I considered was the value of each lot.

516. *Then the deposit of the £5 did not complete the transaction?*—No; unless it was accepted by the city treasurer and a receipt given upon my requisition, it was not a final transaction.

517. *It appears that Burke had deposited £7 10s. which was returned?*—Mr. Burke's solicitor threatened proceedings, and I thought it better to get rid of a suit; and as he had no particular desire to get the premises I returned him his money, which he agreed to take back.

518. *Had there been any actual acceptance of Burke's deposit?*—No; all was conditional.

519. *Was it upon the decision of the committee that Burke got back his money?*—Yes.

520. *Had you any reason for recommending the committee not to accept Mr. Dockrell's bidding except the fact that it was below the value of the premises?*—None whatever. I think Mr. Dockrell waited in the Council Chamber until the premises were put up,

and then bid £10; and I told the committee at the time that the bidding was insufficient.

521. *The biddings are made in the Council Chamber?*—Yes.

522. *He being the only bidder at the time, did you then express your opinion that his bidding was insufficient?*—I did.

523. *Was there any deposit paid at that time?*—No.

524. *Mr. Dockrell.*—No, it was subsequent to that that Mr. Morgan got me to sign the agreement and pay the deposit.

525. *Witness.*—You use the expression "got" me to sign. I don't understand how I could get you to do anything you did not desire to do. I went to your house believing you would have paid £15, which I considered to be the value of the premises, and when you would not agree to do that I went away.

526. *CHAIRMAN.*—The point which I thought required explanation was how the committee came to give the go-by to both Mr. Burke's offers of £15 and £18, and let the premises to Mr. Dockrell for £10. We had two reasons given for that. Mr. Byrne and Mr. Deenochy gave as one reason that Burke had only built a wooden cottage in Dandaleek-street, that he was not a man of substance, whereas Mr. Dockrell was a substantial man, and a safe tenant, and would do whatever he undertook. Yesterday Mr. Dockrell came before us and gave a different reason, viz., that the committee having accepted the £5 deposit were bound to carry out their agreement, and he was supported in that view by Alderman Manning, who said it was the practice not to accept the deposit until the transaction was finally closed, and that he never knew an instance in which they had gone so far as to accept the deposit on property which was afterwards withheld from the party.

527. *Mr. Dockrell.*—I immediately put the matter in the hands of my solicitors, Messrs. Molloy and Watson, when I found there was to be a second auction, and when Burke was brought in to bid.

528. *CHAIRMAN.*—You should not make use of the expression "brought in to bid." There is nothing in what I have heard to warrant it.

529. *Mr. Dockrell.*—There is the letter which I made public at the time, and in which I repeated that expression, and if it was untrue I knew I should have to pay for it.

530. *Witness.*—You knew you had friends on the committee who would support you.

531. *CHAIRMAN.*—I now feel, in justice to Mr. Morgan, that I should read the letter he addressed to Mr. Dockrell in reply to the one he published.—

"City Law Agent's Office, 25, Devon-street,
Dublin, 4th September, 1872.

"*CORPORATION LETTERS.*

"*Thomas Dockrell, esq., &c., &c.,
"South Great George's-street.*

"*Sir,*—Having in my letter of 3rd instant to *Francis's Journal* stated what I believe to be the facts in reference to the Corporation lettings of Nos. 47 and 48, Lower Stephen-street, without using as alternative word or expression *applied to Francis*, I did not expect the report which is your published letter in *Francis's* of this date, which I would not now refuse to say I thought proper to use these words.—The public will, therefore, see by the foregoing facts, that he was correct or otherwise, of which I am ignorant. Mr. Morgan was endeavoring to secure for his friend, Mr. Burke, an unfair advantage at my expense. You know, Sir, that directly incurred the charge of wilful misrepresentation, and as regards Mr. Burke, who never was a friend or client of mine, I can favorably refer to my own said to Mr. Burke's letters, and to the evidence of Mr. Burke's respectable solicitor, that I encouraged Mr. Burke to make a written proposal for a building lease at £15 per year for each lot, on condition that he would make a sub-lease to you at £12 of the rear ground, late in your memory at £14.

"You who had a direct interest should be satisfied with procuring a lease on your own terms, without having wilfully misrepresented me for having done my duty, and endeavoring to realize the full value of the property. I hope you will soon regret of your opposition to me. *Respectfully,*

"*I am, Sir, very truly, &c.,*

"*FRANCIS MORGAN,*

"*Law and Land Agent to Dublin Corporation.*"

Witness
April 26, 1871.
Mr. Francis
Morgan.

532. Upon that letter I will just ask you this. Had you at the time you recommended the committee not to accept Mr. Burke's offer of £10—had you it in view in your own mind to get the premises for Burke?—None whatever. Burke had never appeared in the matter at all at that time.

533. When that property was put up a second time did you induce Burke to become a bidder for the property?—In no degree whatever.

534. Prior to the second auction, when Burke offered £12 did anything pass between him and you upon the subject?—Burke or his solicitor called at my office, but whether it was before or after the auction I cannot recollect, but as to my procuring any person to oppose Mr. Dockrell in the matter, there never was a greater misrepresentation.

535. Burke and his solicitor called at your office with regard to the subsequent offer of £15, but did they call at your office prior to the offer of £12?—I cannot say, but Mr. Colclough is a living man, and his books will show the date upon which he called upon me, as he will have an entry of it.

536. Were you influenced in any way by a desire to get the premises for Burke?—Not in the slightest degree. If anyone had offered £16 I would be just as anxious that he should get them. I wished to let the premises to the best advantage. It seems to have got into some people's heads that I brought up Burke to oppose Mr. Dockrell in getting the premises. All I can say is that there could not be a greater misrepresentation or a greater calumny.

537. Did you recommend the committee to accept Burke's offer of £12?—I recommended it for the consideration of the Council.

538. Mr. Dockrell—I am prepared to give sworn testimony that at the time the second auction took place, Mr. Morgan held both my cheque and the agreement.

539. CHAIRMAN.—I cannot hear you upon oath, but I think if we cannot rely upon a man's word, his being sworn won't make much difference.

540. Witness.—If I held them I never asked for them. Mr. Dockrell said them.

541. Mr. Dockrell.—Unfortunately I was obliged to make a declaration before in this case. At that time I was not a member of the law or lease committee, and I had never bid for their property before. But I considered when the Lord Mayor had declared me to be the highest bidder, and I had signed the agreement and paid the deposit, the whole matter was complete. I never heard, until the day of the second auction, when going into one of the officers, for I was then attached to No. 1 Committee, that this property was to be put up again, and then, to my great surprise, I found it was the very property that I had bid for and of which I had been declared the purchaser.

542. CHAIRMAN.—Can you tell us, Mr. Morgan, whether or not Mr. Burke's tender of £15 included any proposal to lay out a specified sum, or was there any understanding that he was to expend any sum in building?—I could not state without looking at the tender.

543. Was it a condition of the letting that any sum should be laid out?—It is very likely there was.

544. I asked the other day whether you, Mr. Dockrell, had agreed to lay out a larger sum than Mr. Burke had, but it was not mischievously shown whether Mr. Burke had the same opportunity given to him. There was, however, it seems, a condition in the lease.

Mr. Dockrell.—Under the agreement I signed I was bound to send in a plan for the approval of the city architect and of the committee. Shortly after that agreement was signed, I got Mr. Carson, who was not then a member of the Council, to draw out a plan. I submitted that to the committee, and with some slight alteration it was approved by the committee and the city architect.

545. Was that the agreement you signed when you gave the deposit of £3?—It was under that agreement I furnished these plans.

546. Can that agreement be produced?—I don't recollect that I have it.

547. There is no question about your having laid out a large sum afterwards—more than you were required to do.

Mr. Dockrell.—That was a very considerable element in their giving it to me. In 1848 Mr. Booth, who owns No. 56, next door, got a lease for seventy-five years at £10.

548. Witness.—It is not half the breadth or half the frontage.

549. CHAIRMAN.—You told us yesterday, Mr. Dockrell, that Mr. Booth got a house equivalent in value for £10 a year, do you say that that house stood on the same space of ground as those others?

Mr. Dockrell.—That is my impression. There might be a foot difference, but not more.

550. Witness.—You usurped a common gateway which was common to three or four houses, and kept it shut so that no person who went to see the property could know whether it belonged to it. You brought your solicitor to the city hall, and you got a number of your friends to insist upon giving you what is a gift—portion of that gateway which you had no right to.

551. CHAIRMAN.—As Mr. Dockrell cited the house of Mr. Booth, I want to know from you, Mr. Morgan, whether you know that the premises let to Mr. Booth in 1848 for £10 are equal in area to Mr. Dockrell's houses?—They are not.

552. What would be the difference between the effect of a receipt given by you and a receipt given by the treasurer as to handing on agreement for a lease?—I am not authorized to receive any money. The money was sent to my office, and I left it with the treasurer until the right time, when the committee would report the case as a final case to be entered on the books.

553. Then the receipt was merely an acknowledgment of the cheque pending the decision of the committee?—Yes.

554. Mr. Dockrell.—I would like to ask Mr. Morgan this question. Provided I refused to carry out my agreement, and that Mr. Morgan was of opinion it was a substantial rent I had offered, had Mr. Morgan not power to compel me to take out a lease?

Witness.—No doubt I could enforce whatever comes I thought the Corporation should enforce.

555. Mr. Dockrell.—Was it not with that view you always got the agreement signed and the money lodged?

Witness.—These are speculative questions.

556. CHAIRMAN.—Do you know of any cases in which a deposit had been paid and a conditional agreement signed by the parties, and still the lease withheld?

Mr. John Curtis (City Treasurer).—Many times that has been done. I have sixteen or seventeen years' experience in the treasurer's department. The dealings are made by auction in the City Hall and the agreement signed. An invariable rule is that the person who has bid the highest should deposit one-fourth of the year's rent, to go towards last year's rent, in advance. It has frequently happened within my memory that the person so lodging money has not been accepted as tenant, and his money has been returned. On several occasions, certainly, money has been deposited, and the party having voluntarily withdrawn from the terms of his agreement, and refused to complete it, the money has been forfeited; but, then, the Corporation have hardly ever enforced their right to retain the money so forfeited. They have very frequently—in fact they generally have—returned it to the party.

557. CHAIRMAN.—Do you mean to say they could insist on the forfeiture, but that they have not, as a matter of fact, done so?—They do not. The proposal and money are lodged with the treasurer, and he only gives a conditional receipt, but when the agreement is completed he issues the official receipt from his office.

558. Then you say there may be a judgment of

Witness,
April 26, 1877.
Mr. Francis
Morgan.

money which is only conditional and not binding on the Corporation in any way to accept the lease.—Not binding until the Corporation confirms the whole thing on the committee's report.

559. Then you confirm Mr. Morgan's view that the putting up of this property a second time after Mr. Dockrell had lodged this deposit was not exceptional; that it was not contrary to the usual course of practice?—Oh, certainly not. The Corporation reserve to themselves the right to refuse or accept.

560. Mr. Dockrell.—Don't you see the manifest injustice in any case? The deposit was held until after the second auction. I was held to my agreement, but the Corporation wanted to play fast and loose, and it was under these circumstances my solicitor acted.

561. CHAIRMAN.—It was put on a totally different ground by the gentleman who said you should get the lease.

562. Mr. Dockrell.—Sir John Gray and others acted in this matter. The Council were unanimous on the point, as they felt indignant at the way I was treated. My feeling at the time was to give up the whole thing, only I did not want to gratify a person whom I thought I should not gratify. I don't consider that to the present hour I have gained any advantage by the transaction. I have expended £2,500 on the property, so as to make it a substantial thing for the £20 a year to the Corporation.

563. CHAIRMAN (to Mr. Morgan).—I suppose the conditions on the second occasion were the same as on the first occasion?

Witness.—Most likely they were.

564. CHAIRMAN.—To proceed now to a different subject—the Ballydoyle property. We had yesterday read to us a report from No. 3 Committee, dated March, 1875, signed by Dr. Norwood, in which there was a letter from the Rev. William Butlerford, on the part of himself and other persons in the neighbourhood, a communication from the North Dublin Union Sanitary authority, and a memorial signed by Canon Smithwick and a large number of other persons, respecting the condition of Ballydoyle village, with a report from Mr. Butler, the city architect, dated 19th February, 1875, and your report, in which you recommended the immediate erection of new cottages before the property is put up by auction, when, you say, a proper sale could be had of the lands of Ballydoyle. Was that report brought under the consideration of the Council?—Never.

565. It was, I think, by the report of the Committee—

Witness.—That we report to the Council that the attention of the Committee has been called to the condition of the town of Dalderic, and the sanitary condition of many of the holdings. The Committee suggest the desirability of preparing maps and details of the property, with a view to its sale, and that city deliberations be taken up and carried with the proceeds of the sale. All which we submit as our report."

Then follows your report as to the expenditure by the Corporation in improvements up to 1867, which we had given in evidence yesterday by Dr. Norwood. What I wish to know is, inasmuch as these premises, except the quarterly tenements, don't fall in until 1869, as they were let in 1855 for thirty-one years, have any proposals been made by the tenants? We understood yesterday there had not been any!—Several of them are ready to purchase the fee of their holdings.

566. But have no proposals been made for new leases?—No.

567. You say several of the tenants are ready to purchase the fee?—Yes.

568. Are you of opinion it would be to the interest of the Corporation to sell the property?—Most decidedly.

569. And you are of opinion that before it is sold new cottages should be put up?—In order to sell the property to the best advantage new cottages—at least twenty—should be put up.

570. You are still, then, of the same opinion as when you prepared this report?—I am rather fortified in that opinion, whether right or wrong.

571. Do you know whether the Corporation have come to any decision on the point?—I know they have not, because I have watched it very anxiously. There have several things intervened. These public entertainments have been going on, and people have been put up to protect the young folk going into the ball-rooms. That runs away with the ready money which should be applied to purposes more useful.

572. There are other properties outside the city. Is not part of Bagginbush rural?—It is.

573. And the whole of Ballycoghane, Colinstown, Clontarf, and Donnycorney? Now, with regard to all these properties, is it your opinion it would be for the advantage of the Corporation to let them again upon lease, or to sell them?—To sell them, decidedly. Every acre of the property we have I would sell, and pay off the debentures. Four lots of the Clontarf estate were sold in court the other day. They were purchased by the occupier, an individual who has expended money to a large extent on these holdings and improved the neighbourhood very much; and although we have ceased to have any interest in these four holdings, I must say they have changed the whole face of the country. A mansion-house now exists in place of a very shabby house that stood there before. I am decidedly for having the whole thing sold.

574. Mr. Dockrell.—I know it is the opinion of some members of the Council as well as my own (Mr. Gray, who is not in town, would, I think, give evidence of a similar kind) that it would be for the benefit of the Corporation and the ratepayers to have the property sold and the debentures wiped off.

575. CHAIRMAN.—Then you agree with Mr. Morgan so far?—Quite. The Corporation is totally unassailable to manage landed property.

576. CHAIRMAN (to Mr. Morgan).—There are, I think, about thirty holdings in Clontarf?

Witness.—There must be about that.

577. None of these appear to fall in sooner than 1883, except one in 1881. Now, here is Michael Lynch in occupation. That holding will fall in in 1881. Is there any proposal for that?—Yes, and to build a new house.

578. Then there is another holding, of which the Commissioners of National Education are the lessees—nearly thirty-five acres. That falls in in 1883. They pay a very large rent, £92 5s. 6d. 1.—Yes; that occupies the Model Farm at Glencoe, and it is most valuable ground.

579. Are there any proposals for them?—No; because the expiration of the lease is not so near at hand, but if it was decided to sell the property this lot would sell for thirty years' purchase, no doubt. They purchased Mr. Hudson's lease of another lot up to 1920. It adjains. If the Commissioners of National Education wish to purchase, it would be decidedly advantageous to the Corporation to get leave to sell.

580. There is, however, I observe, one portion of Clontarf which you could not sell—All Hollows College—for they have I see, got 1,000 years' lease on condition of laying out £10,000 on it?—Yes.

581. Mr. Dockrell.—It was stated yesterday that we had no fixed valuator, and that the valuations of Beasington and Gale were not to be relied on. Would you ask Mr. Morgan have we not been in the habit of employing Beasington and Gale for several years?

Witness.—Whenever we called on a tenant to procure a valuation, we asked for Beasington and Gale's valuation, and he has gone to them, but it was not compulsory. Mr. Doherty, who purchased Clontarf the other day, got a valuator of his own, and although the Corporation called for Beasington and Gale's valuation, this gentleman bid higher than both of them.

582. In every case where the Corporation had called upon Beasington and Gale to make a valuation, has not their valuation been communicated to the occupying tenants as the basis for their offer?—Because it was at their own expense the valuation was obtained. The way it is is this:—I write, stating that the committee require a valuation, and saying, that hitherto

1884-85
April 18, 1885.
Mr. Francis
Moran.

newspaper has presented by the Corporation to the Treasury, I find it has been over, pending the preparation of an explanatory map, until after the 25th September next, when the period of time required by Alderman Farrell and recommended by the Town Council will not exceed seventy-five years.

"Although I believe Alderman Farrell's present state of health is very alarming, that his surviving the 25th September next is very doubtful, I trust he may yet be spared to execute the new lease in person."

—FRANCIS MORAN, *Law Agent.*

"7th August, 1885."

There was another case in College-green, in which we compelled them to pay the arrears.

Mr. CURTIN.—On the 11th October, 1883, the treasurer was authorized, by order of council, to take off £151 9s. 10d., the accumulated arrears of surplus rents.

603. CHAIRMAN (to Witness).—Can you tell me respecting Trinity-street, James Molloy in the house and James Kavanagh the occupier, from 1848, for seventy-five years, at £11. The Poor Law valuation is £34. How was it let to him so much under value? Was it by auction?—At that time the system of auctions had not commenced at all. There were lettings made to Mr. Atkins, Mr. Molloy, and I think, two more before the decisions as to auctions.

604. Here is one to Charles Dwyer, seventy-five years at £20, while the Poor Law valuation is £76 1s.—That was for the ground only, and he built two houses on it.

605. We had it in evidence yesterday that the Poor Law valuation of Grafton-street and Suffolk-street was greatly under the letting value 1s.—So it is.

606. Do you think in any part of the town the Poor Law valuation is above the letting value 1s.—That depends on the time it was made. There is one part of our property in Upper Bridge-street, in which the Poor Law valuation is above the letting value. It is a very bad spot; it is part of the Mary-halley estate.

607. With that exception is the Poor Law valuation generally very considerably below the letting value 1s.—The Poor Law valuation is below the letting value.

608. I think you told the Select Committee it was twenty-five per cent. below 1s.—I think on the average of the whole estate it is. This Upper Bridge-street property is the only decaying part. It is built on a hill.

609. Is not Grafton-street, which is falling out of lease now, in some instances nearly 150 per cent. below the letting value 1s.—That is a very large sum. Individual cases are not safe landmarks. I wish to impress upon you that the committee had, upon my advice, intended to remove the entire of Suffolk-street. In committee No. 3 they have adopted the principle that one side of the street is to be rebuilt. I want some sort of improvement to be made.

610. From St. Andrew's churchyard to No. 16, do not the houses all fall out within the next five years?—Altogether, and my desire is to have them swept down and let by the foot. The names of the tenants who have contributed to improve the property will be recorded, and if they give £4 10s. per foot for the frontage, they will be given the property.

611. You think, then, that would be a better course than to let the houses as they at present stand 1s.—Yes. The houses are quite unsuited to the time—narrow, old, rotten houses.

612. Do I understand that there is a resolution of

the Corporation to take that course 1s.—There is a resolution of No. 3 Committee, but I don't know that it has ever been brought before the house.

613. From No. 16 to the corner of Grafton-street, would you treat that in the same way 1s.—Yes; the nearer to Grafton-street the more valuable are the houses. The Treasury have recognised my recommendation as to the letting of Callinan's holding, which has been valued by Beesington and Gale, and their proposal has been agreed to by the Corporation.

614. Then are there only these two proposals in the schedule before the committee with regard to Suffolk-street in addition to that one which has been agreed to of Callinan's?—Yes.

615. Have you given the committee any advice as to these proposals from Johnson and from Beesington?—I have advised that the whole frontage be rebuilt, and the committee have agreed to that.

616. And Beesington has apparently offered £4 11s. 6d. per foot frontage for his holding 1s.—Yes.

617. Is the difference between the Poor Law valuation and the letting value as great in the country as in the town 1s.—I think the difference is stronger in the country than in the town.

618. With the exception of, perhaps, Grafton-street and that part, would you say then that the discrepancy is greater in the country than in the town 1s.—It depends very much on the state of the neighborhood. The letting value is very much in excess of the Poor Law valuation in the agricultural lands and buildings.

619. CHAIRMAN.—I hold in my hand a report by you on Clarke's holding, now Rockford's, which contains certain suggestions by you. Do you still adhere to those suggestions 1s.—Yes. I complained of that lease being renewed, and I sent a letter to the Lords of the Treasury to prevent if possible the lease to Rockford being confirmed, inasmuch as the Corporation were contemplating the introduction of an Improvement Bill, by which they would have required those premises. I advised them to hold what they had and to make a temporary letting to Mr. Rockford, but the Corporation did not consider it necessary to adopt my advice. There is an uncertainty as to his being entitled to a lease of what he holds, but his solicitor says he will force the Corporation to execute a lease for seventy-five years at £4 a year.

620. What do you consider would be a fair and reasonable rent for those premises 1s.—£25 a year would be a reasonable and sufficient rent upon a lease of seventy-five years, but £4 I consider to be a very insufficient one.

621. Were not Messrs. Mossell and Mitchell sub-tenants of Mr. Rockford's 1s.—They were not directly his tenants, inasmuch as he was unable to remove them. There was a middleman between Rockford and Mossell and Mitchell, a Mr. Corbally, and Rockford compelled Corbally to eject them out of their holding, in order that he might himself become the occupying tenant, and so get the benefit of the amended law. When the committee went to view this property, Mr. Rockford did not show them this back property—he never showed the committee the full extent of the area of the ground held by him. Subsequently I sent down the surveyor, and had the place surveyed and a map made of it, and it disclosed exactly how the property was situated and its extent.

Mr. John
Martin.

JOHN MARTIN, Assistant Town Clerk, recalled.

622. CHAIRMAN.—I have now got Mr. Barlow's letter of the 13th of July, 1873, stating what his duties are, and asking for an increase of salary to £200 a year. (Letter read.) Is £109 a year his salary at present?—That is his salary.

623. Has he any other remuneration 1s.—He is paid postage for delivering the summonses and reports. He only charges a halfpenny for postage. He expends £5 a month or upwards in this way. His book is brought before Committee No. 3, relating the delivery

of the summonses every month, and they sign a cheque for £5. Lately it has increased very much.

624. Do they give a cheque for £5 on account when it amounts to that 1s.—No; it is rather reconsping him for what he had already expended.

625. Does he present an account monthly of all passages 1s.—Yes.

626. And when he presents the account, does he get a cheque for £5 1s.—Yes.

627. Can you say what it comes to in the year 1s.—

Laterly it has been much larger than it used to be, the business has increased so much. We have now sixty meetings of the council and committees in a half-year, and he either posts or delivers all the summonses.

637. And if he delivers them, does he charge postage?—Yes; whatever he gets that way is in lieu of postage.

638. In point of fact what he does is this—he charges at the rate of a halfpenny for every summons and notice paper?—Yes.

639. And does that include the filling up of the summonses and their delivery?—Yes.

640. And the committee don't stop to inquire whether he delivers them by hand or posts them?—They do not inquire.

641. But pay him at that rate?—That is about it.

642. How much does it amount to in the year?—Laterly to about £10 a month.

643. Then in point of fact it comes to about £120 a year?—I dare say it will exceed that after a time if the business goes on increasing.

644. It would follow then, that although the basis of this application for an increase of salary was mainly the large number of summonses and notices he had to fill in, that he gets an additional payment for these in lieu of postage?—He must be very precise though in the way he fills them in. The members require everything plainly and distinctly stated.

645. Mr. French, &c.—There is a draft drawn every month for £5.

Mr. Martin.—Twice a month.

Mr. French.—No; every month.

Mr. O'Donnell (accountant).—Up to the year ending August, 1876, Mr. Barlow received at the rate of £50 a year.

636. CHAIRMAN (to Mr. Martin).—That was at the rate of £5 a month?—Yes.

637. And since then you say it has been about doubled?—I know I drew out a briefcase lately for the committee, and I found £5 recorded twice for the month of January.

638. Was not the salary of a late officer, Mr. Curzon, £130 when he died in 1855?—I think so.

639. And Mr. Martin Curzon, his successor, was appointed at a salary of £150 a year?—Yes.

640. And received that salary until he was promoted to be city clerk in 1855?—Yes.

641. And then was Mr. Barlow appointed in 1856, at a raised salary of £100?—I think so. Yes; that was it.

642. And in 1858 was not his salary increased by £25; and in June, 1870, again increased to £150?—Yes.

643. Can you say whether Mr. Barlow has any other duty in excess of what his predecessors had, beyond what arises from the increased number of meetings of the committee and the Council, and the consequent increase in the number of notices he has to serve?—My impression is, that his duties amount to double the work his predecessors had to perform.

644. Is not that merely in respect of the summonses?—Yes.

645. But I want to know whether his duties were increased in any other respect besides those notices and summonses?—The Council having met more frequently his attendances are increased, and he has a greater number of notices and summonses to serve.

646. Does he write out six lists of the members present at every meeting?—There are only five morning newspapers now, but there were six.

647. Then, are these lists for the Press alone?—Yes.

MR. BARLOW EXAMINED.

Mr. Barlow.

648. CHAIRMAN.—Have your duties increased in any respect beyond what your predecessors' were, except in regard to the number of notices to be served and the number of meetings to be attended?—Not that I am aware of.

649. In other respects are your duties similar to your predecessors'?—As far as I know, almost; but then the business of the Corporation is double what it used to be, and of course my duties are doubled also.

650. You have to attend the Lord Mayor's dinner in full dress than your predecessors, I suppose?—My predecessors hadn't much of that to do.

651. One of the reasons you assigned for asking this large increase of salary is that your costs have risen. Is it worth out much oftener than that of your predecessors?—No; but I will tell you a circumstance that happened to me lately. I lost my note through some inconvenience at the Mansion-house, and it cost me £5 to get a new one, and the old one only cost £5.

652. Mr. O'Donnell (accountant).—I wish to correct a statement I made a while ago as to what Mr. Barlow received. In August, 1876, he got £65, and not £50, as I stated.

653. CHAIRMAN (to Mr. Barlow).—Mr. Martin thinks that you now get something like £10 a month for serving the notices and summonses?—Yes, the present rate.

654. At the present rate of payment for postage is the accession to your income from that source something like £10 a month?—Yes; but I only get the pure postage.

655. I am quite aware; but does that amount to £10 a month?—At that rate.

656. I understand that the Committee do not stop to inquire whether you put postage stamps on the notices, or serve them yourself. May I presume that it is on the ground that it would cost you as much to go about

in order to serve them?—It is immaterial to them how they are delivered, so that they are delivered.

657. In point of fact, do you deliver many of them by hand?—All nearly. The Act of Parliament says they shall be delivered. It does not say may be, but shall be.

658. The basis of that letter of yours of the 12th of July, 1875, which resulted in an increase of your salary to £200, was that you had such an immense amount of additional business to perform in filling up these notices?—Yes; in fact, the business has increased so much these last few years, and besides the relative value of money then and now.

659. That applies, of course, to all the officers. At that time were you receiving money for postage stamps in the same way as you do now?—Oh, yes; but not so much.

660. Did your predecessors always receive postage at the rate of a halfpenny on every notice served?—They used to get a penny. In their time there was no halfpenny postage, but now, since the halfpenny postage came in, I only charge a halfpenny on all summonses. There are reports, for instance, and large books, that would cost a shilling to post, and I only get 1s. 2d. for them.

661. That includes book postage as well as notices?—Yes. There is the book for 1857 belonging to my predecessor by two degrees removed (book produced). Of course, the business has increased very materially since then. This book (produced) is for the time of the penny postage.

662. They are all, I see, carefully, and I doubt not, accurately entered?—When the penny post was in force of course the work was less.

663. Does this letter represent the full extent of your duties?—The same duties, but vastly increased. Of course, at that time, the Lord Mayor, being a Catholic, would not be allowed to go to Mass with the officers of State; but now we have to go, and that is an additional duty.

EXAMINER.
April 26, 1877.
Mr. John Martin.

DEBATE.
April 26, 1897.
Mr. Lazen.

Mr. LAZEN, Secretary to No. 2 Committee, examined.

664. CHAIRMAN.—Are there only two clerks under the control of the Corporation?—A great deal more.
665. I thought there were only the cattle market and Smithfield?—We have others besides.
666. Will you kindly make out a list of the markets for me?—Yes.
667. Is the duty of deputy clerk of the markets performed by the inspector of weights and measures?—They are the Lord Mayor's men under the Act.
668. Is not the Lord Mayor, *ex-officio*, clerk of the markets himself?—Quite so, but he appoints two men who are deputy clerks of the market.
669. Who are these two men at present?—Mr. Ephraim Webb and Mr. George Edwards. They perform the functions of clerks of the markets and inspectors of weights and measures under the Improvement Act, and their duties are united.
670. Do they receive their salaries as inspectors of weights and measures from the improvement fund?—Yes.
671. And do they also receive their salaries as clerks of the market from the improvement fund?—Yes.
672. Are the expenses of their office paid out of that fund?—Yes. The Act—the Petroleum Act—also confers the duty of inspection upon the existing inspectors of weights and measures in the district, and one of the gentlemen has the appointment, for which he receives £10. His duties are defined.
673. What is the payment of those two gentlemen as deputy clerk of the markets?—They hold it at £30 per annum.
674. Is it £30 between them?—Yes. The Lord Mayor has the option of either appointing one or sixty if he likes, but the emoluments of the office are only £30 per annum.
675. The Lord Mayor, for the time being, has the power of appointing as many deputy clerks of the markets as he likes?—Yes. The Corporation assigns the salary, and the Lord Mayor makes the appointment, and they receive £30 between them.
676. When were the appointments of deputy clerks of the market first made?—Many years ago; after the Act of 1849 came into operation.
677. Are the Corporation limited by any Act of Parliament as to the salary to be paid?—There is no limitation.
678. Then it is in the power of the Corporation to increase it if they wish, but as a matter of fact the salary has been £30 for many years?—Yes.
679. Has the practice been for many years to appoint two clerks of the markets?—It has. There were three, but it was found that two were quite sufficient, and the two receive the emoluments of the three.
680. How long has Mr. Webb been in office?—The date of his appointment is May, 1865, and Mr. Edwards, October, 1869.
681. As inspectors of weights and measures they appear to receive £140 between them?—Yes.
682. £80 each?—Yes. The cheques are drawn as for both; they are not drawn separately.
683. The cheque is drawn for the whole £160?—Yes; it is drawn quarterly and given to them to do as they like with.
684. Is the appointment of inspector of weights and measures made by the Lord Mayor?—Made by the Lord Mayor solely in his own right.
685. Is it optional with him to appoint different parties to that post, or must they be deputy clerks of the markets?—He has the absolute power of appointment every year. It is vested in the Lord Mayor.
686. The power is vested in the Lord Mayor to appoint deputy clerks of the markets, but is it necessary that those who hold that office should also be inspectors of weights and measures?—I do not think it is. It is the custom, and many things in Dublin are done by ancient usage and Royal Charter.
687. It is quite clear that each succeeding Lord Mayor does not exercise the privilege but continues them on?—Quite so; owing to their efficiency and knowledge of details.

688. What are their duties as deputy clerks of the markets?—You will find them stated on the paper I have handed you. (See Appendix 15, page 356.)
689. Their duties as deputy clerks of the markets are that they must visit and inspect, as they may be required, any fish, fowl, meat, and vegetables found in the market exposed for sale, and if any such be found unfit for human food, to seize the same and send it to the gardens of the Royal Zoological Society for the use of the animals?—Quite so; that has been the custom for years and years.
690. But don't they get a salary irrespective of the *arbiters* model?—No, not as deputy clerks of the markets, but under the Public Health Act.
691. But who are the judges of whether the food is unwholesome and unfit for human food?—First they are inspected by the inspectors, who form an *opinion* upon any food that they may deem unwholesome, and if there is any dispute on the point—where there might be any doubt as to whether the food is or is not unwholesome—Dr. Cameron, the city analyst, is called in, and he decides the point.
692. If the opinion of the deputy clerks of the markets is dissented from by the party exporting the food, is there no appeal against his decision?—If there is a dispute Dr. Cameron is called in, but if there is no dispute, he is not called in.
693. Does his pay as city analyst cover that duty?—Quite so.
694. What salary does he receive?—His total salary is £200 a year, that covers his salary as medical officer of health, under the Public Health Act, and city analyst, he has no fees.
695. Is he required in either of his capacities to give his opinion upon diseased meat?—Oh, in a number of cases.
696. Is he required to do so, or has that duty been thrust upon him since his appointment?—It is one of his duties.
697. It is one of the duties imposed upon him as city analyst?—Yes.
698. Are those duties that you have described all the duties of the deputy clerks of the markets?—
699. Are there no tolls received by the deputy clerks of the markets?—None. Those officers act under ancient usage and custom in the capacity of inspectors of weights and measures, for which they receive a salary. If you refer to the document I have given you, you will find that they perform additional duties, for which they receive, as it were, what they earn.
700. In point of fact, I perceive that although they are paid £80 a year each as inspectors of weights and measures, they do get a fee on all adjustments of weights?—They do, by custom.
701. But all the duties of inspectors of weights and measures seem to be paid by fees, and why do they get the £80 a year each?—Their duties are not paid by fees, and they get the salary for seizing fraudulent weights and measures, and prosecuting where fraud is suspected.
702. And you would draw a distinction where there is no fraudulent intention?—Yes; where there is no fraudulent intention, the custom in Dublin has been not to inflict a penalty on the trader in cases where wear and tear has reduced the metal in the measure; the measure is adjusted, and they receive a fee by custom.
703. What fee by custom do they receive from the trader?—They receive an established scale of fees, which I shall be happy to hand to you if you desire it.
704. Did Mr. Finlay, the Government auditor, raise an objection to their receiving these fees, the first time he made an audit here?—He was under the impression that under the Dublin Improvement Act, all fees received—and he gave a very strong opinion on the point—should be lodged to the credit of the Improvement Fund.
705. And was not that the intention of the Act?—Quite so; but the fees these gentlemen receive are very small. The sum they receive on the re-adjustment of weights and measures is very small, and is acquiesced in by the general public, and is paid to them.

705. Has any objection ever been made to the payment of those fees?—The matter has been inquired into a number of times by Committee No. 3 and the Corporation at large, but hitherto they have not been able to devise any method that would not so well, and at the same time with less inconvenience to the general public.

707. I see that allusion is made by Mr. Finlay in his report, the first year he audited the accounts here—in 1872—to the fees received by the deputies of the Lord Mayor for adjusting weights and measures. Mr. Finlay says—

“As respects the fees received by the deputies of the Lord Mayor for adjusting weights and measures throughout the city, the deputies used that they were always considered the proprietors of their office, and claimed the right to receive them. These officers are appointed by such Lord Mayor under the 74th section of the above Act, which requires the Council to pay the deputies such salaries as they shall think fit, but in what way to the fees. The question is as to whether these should be paid over to the Corporation or be retained by the deputies has been before Committee No. 3 on more than one occasion, but nothing has been determined. It might be well if the committee were to obtain the opinion of counsel for their guidance in this matter.”

708. Has the opinion of counsel ever been obtained by the committee?—They have over and over again considered the matter, and have consulted their law agent, Mr. Morgan, on the subject, and the conclusion arrived at by the committee was that the Act referred to their powers, that the Lord Mayor enjoyed by charter, and that usage and custom in Dublin always gave those fees to the inspectors.

709. You took the opinion of the law agent, but not the opinion of counsel?—No, we did not take the opinion of counsel. Recently Committee No. 3 made a report—on the 10th of April—which is not yet officially before the Council. It comes as a recommendation from the committee, and it states—

“The Dublin Improvement Act, 1840 (12 and 13 Vic., chap. 27) having vested in the Corporation of Dublin the entire control of the weights and measures, so far as relates to the duties of Dublin, the Corporation have complied with the provisions of the Act by having the standard weights and measures, which were presented to the city of Dublin in 1826, by order of the Imperial Parliament, re-assessed at the Standards Department in London; the latest assessments having been made in March last year (1870), and they will not require to be again re-assessed for five years from that date. The Corporation are also in possession of the balance, capable of weighing from one grain to sixty pounds in each pan, with fine subdivisions, capable of further subdivision to the extent of .001 of a grain. These standard weights and measures and the balance are available at all times for testing the sub-standards in daily use by the inspectors of weights and measures within the city, and at all others that may be sent in for that purpose, including the constabulary and metropolitan police. By the 13 and 15 Vic., chap. 27, the charter right of the Right Honourable the Lord Mayor of Dublin is confirmed as the sole clerk of the markets within the city, with power to appoint deputies. The committee recommended that the existing custom, which has been based to work well in practice, and is in accordance with usage, be continued.”

As doubtless you are aware, the whole subject of weights and measures is under the consideration of Parliament, and until a uniform system is established the committee do not recommend disturbing the old custom.

710. The recommendation from Committee No. 3 is that the existing practice, which is, they say, found to work well, and which is in accordance with usage, shall continue?—Yes; the committee are quite willing to adopt or re-adopt the matter as soon as a system is adopted by the Legislature that will enable them to do so.

711. Did Mr. Morgan make a report which was the basis of that recommendation?—Mr. Morgan has been very unwell, and I cannot say whether he made the report which led to that recommendation. It is a recommendation lasting over years.

Mr. E. G. Warr examined.

712b. CHAIRMAN.—Are you one of the deputy clerks of the markets?—Yes.

713. Have any complaints ever been made of your charging those fees for adjusting weights?—Well, there have been complaints made at certain times—that is persons wanted to know by what right we charged those fees—last they paid them—they never refused to pay them.

712. You say it was referred to Mr. Morgan, but that Mr. Morgan is not responsible for this recommendation?—He is not.

713. What other officers are there in charge of the markets besides the deputy clerks?—I should tell you that the inspectors of weights and measures make no charge for testing the accuracy of weights that are correct and previously stamped either in England, Scotland, or Ireland.

714. Can you give me an idea of what these fees amount to in the year?—In round numbers they give each of the officers about £300.

715. Including the £250 a year each?—They have in the year about £300 each.

716. £300 a year each for all their duties as deputy clerks of the markets and inspectors of weights and measures?—Yes.

717. They get £50 each as inspectors of weights and measures, £15 each as deputy clerks of the markets, and the fees are at least 100 guineas additional?—Yes. The fees for adjusting weights are about on average of £8 per week, the expenses of the department—such as labour, fuel, coal, and other incidental expenses—are about £3 16s., and that leaves about five guineas a week to be divided between the two inspectors.

718. Then that would bring their salaries up to about £195 per annum each?—Well, perhaps I am a little over the mark, but that is about it. I wish to hand you now a return of the fees in which the inspectors give the number of weights, the charges for each description of weight summarized and totaled up—the actual cost of expenses for the week deducted from it, and that shows the net amount they receive.

719. Do they also test the several weigh-bridges?—They do that gratuitously.

720. Free of charge to the Corporation?—Yes.

721. And do they test the weights used in the water-bailie department?—Yes, all free of charge.

722. We had some evidence yesterday that the weigh-bridges differed from each other?—Which regard to that I may mention incidentally that we had no official communication in writing from Mr. Albion. He called into the office about the 11th of April last, and ascertained the nature of the weigh-bridges—not weigh-masters—who were merely in receipt of weekly salaries. Incidentally I learned from him that there was a discrepancy in a load of salt. Incidentally on the following morning I called round, and saw each of the persons. I reported the matter to the committee, and further reports were made to the officers of the department. What Mr. Albion stated coincided with the entries made in the books, but there was no train of evidence before the committee as to the identification of the loads, or anything of that description to enable them to satisfy themselves whether anything was wrong. The weights were tested on the following morning by the inspectors after the loads were sold, and were found to be all correct.

723. CHAIRMAN.—In case a person is summoned, and the charge against him is dismissed, who pays the cost of the summons?—There is no cost charged. There is no expense save the piece of paper and the ink.

724. Who serves the summons?—One of the officers. For your information I had in a copy of the official report of the Commissioners on customs and usages in Dublin. (Report handed in.) With reference to the clerks of the markets I wish to say I have never received complaints of either of them within the last four years that I have been in office.

Witness
April 24, 1871
Mr. Laker.

Mr. E. G.
Warr.

DEBATE.
April 26 1877.
Mr. E. G.
Webb.

four times in one year from one man for adjusting his weights?—Yes; for every three months we visit some shops. We go through a district every three months.

730. CHAIRMAN.—Do you go through all the shops?—Yes, shops, stores, hallways, and such places. Of course we don't visit every shop in Dublin four times a year.

731. Mr. Laker.—The law is deficient in this respect that it does not compel the trader to send in his weights for adjustment, and therefore the inspectors have to go round to see that the weights and measures are right. That was one of the matters reported upon, and the Commissioners recommended that the trader should be obliged to send in his weights to be tested.

732. Mr. Webb.—I believe Dublin is the only town in that position.

733. CHAIRMAN.—The question is whether these fees should go to the Corporation or to these gentlemen. Mr. Webb, how much does your salary of these fees come to annually?—Well, the salary of myself and colleague, with fees included, is about £130 a year each.

734. Then you must each get from £130 to £150 a year additional to your stated salaries from these fees?—Yes.

Mr. Laker.—The amount varies according to the extent of their own industry.

735. Mr. McEvoy.—Was there ever a case, Mr. Webb, in which you did not at all remove the weights for adjustment and yet got your fees?—Sometimes when a trader would be busy we might not take the weights until next day or so.

736. Did you ever send in an account for adjusting

weights without having at all removed them from the trader's premises?—No.

737. CHAIRMAN.—Mr. McEvoy, be good enough to put your questions through me. (To Witness).—A gentleman here wishes to know whether it is usual to visit one shop and not another—whether any exceptions are made?—No. Such a course is not adopted, but sometimes we don't find out places where weights are used for some time.

738. Do you visit all the shops in which you believe weights to be kept?—Yes; it is our duty to visit all the shops.

739. Mr. Altham.—He was not in my premises for five years.

740. CHAIRMAN.—Do you know where Mr. Altham's salt premises are?—I do not. It was my coadjutor that inspected there the last time.

741. Have you omitted to visit any shops in which you know there were weights and measures?—No, I have not.

742. Have you ever omitted to visit the premises of any member of the Corporation where there are weights and measures?—No.

743. Have you visited them all?—Yes; and we even visited the Lord Mayor's premises and charged for the adjustment. We visited the premises of some of the members of the Corporation two or three times in the year.

744. Is it the case that there has been no visitation in the present Lord Mayor's district since he came into office?—No. It has been visited the same as any other ward in the city of Dublin.

Mr. Laker.

Mr. LAKER'S EXAMINATION RESUMED.

745. CHAIRMAN.—What are the markets under the control of the Lord Mayor as clerk of the markets?—The duties of the Lord Mayor in that capacity are quite distinct from those of the deputy clerks of the markets. It is a distinct office.

746. Yes; but name the markets under the control of the Lord Mayor?—Smithfield hay and straw market, Kevin-street, Smithfield, the cattle market, the Green Horse Cross, Little Green-archway butter and egg market, and the United Butter Trade. Some of them have been abolished.

747. Are the markets practically under the control of the Lord Mayor now confined to Smithfield market and the cattle market?—The cattle market is under the control of Committee No. 2 of the Corporation. The others are personally under the control of the Corporation.

748. Are those you have mentioned all the principal markets?—Yes; some of them were at one time very important markets.

749. But they are not now?—Well, no. The trade has varied, and they have ceased to be of the great importance they were.

750. Are there no markets in Dublin similar to those in other large towns—large covered markets?—No; no retail markets.

751. Are there no such markets for the sale of hutchers' meat, fish, &c.?—No; but there was an Act of Parliament passed last year for the creation of such a market which is now being built.

752. Was there not a general Act passed in 1861 which gave the Corporation power to take all the markets into their hands—and does not that Act remain a dead letter?—Oh, no. The Corporation carried it out.

753. In what way?—By insisting on the right of the Lord Mayor to be the sole clerk of the markets, and the power of appointing deputies which he has exercised.

754. Are there no general markets here?—No; not as you understand retail markets in England. There was an Act passed last year for the creation of the South Dublin Market, and the vested rights of the Corporation and the Lord Mayor are incorporated in that Act. The Corporation opposed the bill till they got that clause inserted, and having got it inserted, they retired from the opposition—so that that market will be ex-

clusively under the control of the Lord Mayor as clerk of the markets.

755. That market is not, I believe, in existence at present?—No; but it is being built.

756. Will it be a covered market?—Yes; for the sale of general commodities—such a market as you may see at Liverpool and elsewhere.

757. Who is the inspector of Smithfield market?—Mr. Flood.

758. When was he appointed?—In January, 1873.

759. What is his salary?—£100 per annum. It had been £75 a year, as inspector of the hay and straw market, but then he was asked to look after the pig market, and he got £25 a year more for that.

760. Is the Smithfield market for the sale of hay and straw only?—That is all.

761. What are the duties of the inspector?—To examine all the hay and straw exposed for sale in the market with the view of detecting any fraud; and upon discovering any fraud, he is to report the matter at once to the Lord Mayor. If the hay or straw is condemned by the Lord Mayor, it is to be sold by public auction in the market, and the proceeds are to be handed to Mr. Haughton, to be by him handed over to the credit of the borough fund.

762. Who is Mr. Haughton?—Mr. Haughton is one of the deputies of the market. He resides in Dublin; but Mr. Flood resides in the country. He inspects the cart figures.

763. What are the cart figures?—Figures issued whereby the cart may be identified for taring purposes.

764. Has he to see that the carts are numbered and that their numbers are kept in order, that the passages to the market are kept clear, and generally to supervise the market in accordance with the by-laws?—Yes.

765. Are there a set of by-laws for Smithfield market?—Yes.

766. Is there not a fish market?—That is an open-air market.

767. Is it held in the street?—It is held at three o'clock in the morning in the streets, but it is the duty of the inspectors or clerks of markets to examine it.

768. What are the hours of the inspectors' attendance at Smithfield?—From 9 a.m. to 5 p.m., on Tuesday and Saturday, or later if necessary. The hay

and straw markets are only on Tuesdays and Saturdays.

769. Does he not also attend the pig-market?—Yes; he has to attend the pig-market every Thursday, from 8 A.M. to 4 P.M., or later if necessary.

770. Are his duties to see that the by-laws are carried out?—Quite so.

771. Does he send in reports?—Yes; one of his duties is to send in reports every Tuesday and Saturday, and he furnishes them weekly.

772. What other officers are in charge of Smithfield market?—One assistant, who gets £s. a day, on Tuesdays and Saturdays.

773. Does Mr. Flood or his assistant receive any fees?—No; they receive no fees whatever.

774. Is there no fee for bringing hay or straw into the market?—No; but there is a fee for weighing it in the Corporation scales, and that comes under the head of weighmaster's duties.

775. The only fee charged is for the weighing?—Yes.

776. And do these fees go into the office of the weighmaster?—Quite so. There are five weighmasters.

777. The salary of each of these weighmasters is, I see, paid by fees not exceeding £120 per annum?—Quite so.

778. Do all fees above £120 per annum go to the Improvement Fund?—If they ever exceeded it they would, but they have never exceeded that.

779. Do you get an account every week of the fees they receive?—Yes.

780. Where are the outcome charges lodged?—In my office. There is the form (handing in document). The account is furnished with the names of the traders and the weights. The charge is made by weight—one halfpenny in the hundredweight; and then, the charge paid by the Act of Parliament being very much higher than the charge by private weigh-houses outside the boundaries of the market, the deputy gives a discount or rebate to the salesmen so as to reduce the charges as nearly as possible to what it is outside. It is a bonus given to the salesmen.

781. I see this is marked "Checked, C. Burke." Who is C. Burke?—He was the gentleman who checked the accounts. He is dead, but the checking is still continued in my office by his successor.

782. How is the return made by the weighmaster checked?—By his furnishing the books of the tickets of the loads of hay. They are carefully checked; even the error of a halfpenny or a penny would be discovered.

783. Is the charge the same for hay as for straw?—The same. A halfpenny per hundredweight is the limit of the Act.

784. These returns are made twice a week apparently?—Every three days. They lodge the amounts to the credit of the Improvement Fund, and at the end of the month all the fees received for that month are divided—one-fifth to each, irrespective altogether of what each may get.

785. So that you have a check on the actual amount they receive, and they are not allowed to pocket the fees, but all are paid in to the treasurer, to the credit of the Improvement Fund?—Yes.

786. By whom?—By each weighmaster.

787. Why are the names of two porters recorded at the foot of each week's return?—Their wages are deducted from the gross receipts.

788. What are their wages?—Their wages are half-a-crown a day each. That embraces, you see, the two days—the week you have before you commencing on the 14th, and ending on the 8th of April; and they give returns for the whole week. They get half-a-crown for Tuesday, and half-a-crown for Saturday. There are two days in each week.

789. The clerk I see gets five shillings?—Yes. It is the weighmaster who checks the weighing. He sees the lever which records it accurately; he calls out the weight, and then he is responsible for the

returns. (Handing in document.) That is the form for weight supplied by the Corporation—it is the block; and the Corporation for the further protection of the public have put to it the annexed note.

790. CHAIRMAN (reads):—

"The buyer and seller are strongly recommended not to measure the above tare to be correct, but to send back the empty cart to be weighed at any of the Corporation weigh-houses in Kenton-road, City-square, Brough-square, or Eden-square, &c."

Witness.—The buyer can send his servant over to the nearest Corporation scales; and his tare then is tested free of cost, provided of course this ticket is produced showing it has been weighed before. And not only that; but the buyer and seller have again the option of re-weighing that weight, at any of the Corporation weigh-houses, free of cost.

791. Mr. P. E. Coop.—But cannot he get the test for 2d., without going to the Corporation scales at all, at one of those new weigh-bridges?—Quite so.

792. These have come into competition with the Smithfield ones.

Witness.—It is a fractional difference of no consequence to the salesmen.

793. CHAIRMAN.—How we have the duties (reads):—

"The duties of the weighmaster are to attend every Tuesday and Saturday, from 8 A.M. to 5 P.M. (or later if necessary), to receive returning carts, and to test the accuracy of and adjust the weigh scales on each market morning before the business of the day commences."

Yes, an accident might occur to the table by a heavy cart going over it on a non-market day.

794. CHAIRMAN (continuing to read):—

"To see that each load of hay or straw is correctly placed upon the weigh-tables, and that a yard be properly adjusted, so as to remove the weight from the horse's back, to see that all straps, chains, &c., be removed so as to admit of the correct weight being ascertained, and no fraud attempted. To enter in the blocks of the weigh-books the name of the owner and factor (or salesman), the state of the actual weight recorded by the scales, and if the cart has been used within two months of that date, to enter and deduct same from the gross weight, and then fill up the weigh-ticket, and so on, providing the correct fee to deliver the note to the seller or his representative. To receive all carts when empty if not already registered, and record the Corporation number in the register kept for that purpose, leaving order of re-weighing and any difference, as, if so required by the buyer or seller, to re-weigh the cart on other as ordered to be so."

"To collect from each salesman the fee for weighing in conformity with the usage, allowing a rebate to them for purchasing the Corporation weigh-houses in preference to the private weigh-houses, when scale of charge is lower than those of the Corporation."

"To lodge in the Bank of Ireland such receivable notes to be retained from the City Treasurer, the net amount of fees received, after payment of clerk, porter, and office expenses, the amount being first previously checked in the office of the Secretary of the Corporation."

Before the fees are paid in then, they take this return of fees to your office. Is this not what then checked by you or your clerk, and the return filed in your office?—Yes, and it is checked by the Government auditor the moment I get it.

795. In addition to the above is not all the money for condemned hay and straw that has been sold by auction paid by Mr. Houghton, into the Bank of Ireland to the credit of the Improvement Fund?—Yes.

796. And that seems to complete the duties of officers connected with the Smithfield market?—Yes.

797. Mr. P. E. Coop.—Had you over a return of the receipts and expenditure of the market for the year?—Certainly. The receipts never come to the £120.

798. Mr. O'Donnell (to Chairman).—I can give you the receipts for the year that has been audited.

799. Mr. P. E. Coop.—The Improvement Act contemplates the Smithfield market being self-supporting, that there should be no cost to the city.

800. CHAIRMAN (to witness).—There appears to have been lodged by deputy weighmaster's fees received during the year £427 13s. 1d. That was for the year not yet audited?—Yes.

801. By condemned hay and straw, £8 9s. 6d. 1—Yes; that was the hay and straw confiscated in the previous year.

DEPOSED.
April 24, 1877.
Mr. LALOR.

DUBLIN,
April 26, 1917.
Mr. Laker.

802. £408 10s. was paid to the five weigh-masters, or about £80 a year each, and I see the year before they got but £351 between them?

Mr. McEvoy (handing in document).—This is what regulates those salaries, this section.

803. CHAIRMAN.—This section says:—

"They shall receive such salaries and wages as the Council shall think fit, and shall not be allowed to retain any fees, &c."

They do not fix a salary; but what they say is—you shall receive the fees, subject to certain deductions, so long as they do not exceed £130 a year; but, if

they do not come to so much, you are only to have whatever the fees come to?

Mr. McEvoy.—But they have looked on two other officers whom they pay out of the Improvement Fund. They pay the clerk and two porters out of the Improvement Fund. I have raised it at the audit of the accounts.

804. CHAIRMAN.—That is the place to make it, not here.

Mr. McEvoy.—If you had the returns I think you would find them less than is stated.

Mr. Patrick
Heaghey.

Mr. PATRICK HAUGHTON

(assessor) examined.

805. CHAIRMAN.—Mr. McEvoy refers to the diminution of fees. Can you explain the cause of this?—The primary cause of that is the erection from time to time of private weigh-houses in the immediate vicinity of the market, owned by factors, who send all the hay purchased by themselves to be weighed in those houses.

806. Is not being compulsory on them to weigh in Smithfield market, with the view of reducing that competition you in fact reduce the fees you are bound to charge under the Act of Parliament?—There are scores of those weigh-houses at present, and we are likely to have more very shortly.

807. Was not the cash paid in £446 8s. 7d., exclusive of arrears from last year's account?—Yes.

808. Out of that the weigh-masters received £408 10s., and there were other out-goings, for keeping the machines in repair, works for repairs, painting, and so forth, which are all charged to the Smithfield market, making £518 odd?—Yes.

809. Mr. McEvoy.—Mr. Haughton could tell about what I am going to refer to. At first the Corporation thought they had secured the right of weighing hay and straw; and then these private weigh-masters established by quoting their right to weigh.

Witness.—That is so. I was informed that was the case.

810. CHAIRMAN.—In Kevinstreet market I see the Lord Mayor's deputy less £1 10s. a week, provided he receives that amount of fees. What is the Kevinstreet market for?—It was under the control of the Earl of Meath, and was one of the liberties; and this gentleman is kept there for the weighing of butter, bacon, and other commodities, and hay and straw; and his scales are utilized for the general benefit of the public.

811. Mr. McEvoy.—The improvement fund pays the expense of the establishment—that is, the rent, taxes, and so on?—It does.

812. CHAIRMAN (reads):—

"And the average earning from the date of appointment is 12s. 7d. weekly."

The fees, therefore, do not come to more than 12s. 7d. on an average in the week?—Quite so, that is the average of the year.

813. Are there any other expenses attending this market besides the payment of these clerks?—The Corporation pay the rent and taxes; there are no other expenses except for the blocks—for printing.

814. £13 1s. 6d. was the cost of the establishment for the current year?—Yes.

815. Mr. Laker (producing returns).—Now, this is Spitalfields. That is attended with no expense. At one time the receipts were worth £1,600 a year; at present they are only worth 10s. a week.

816. CHAIRMAN (to Mr. Laker).—Mr. Keogh is the weigh-master, and is his salary to consist of the fees received without any limitation?—Yes.

817. His duties are, I see, "to attend in summer from 6 A.M. to 5 P.M.; and in winter from daylight to 5 P.M.; to personally see that each scale in the market be properly balanced before the commencement of business for the day; to appoint on his own responsibility one or more assistants or clerks, the salary of whom he pays out of his emoluments?"—Yes.

818. "The market is subject to a rent which is pay-

able by the weigh-master to Mr. Lawrence Keogh." Then, in point of fact, he pays the rent and does everything for what he gets in the way of fees?—He does everything for what he gets.

819. What do you suppose it is worth?—The market is merely a nominal thing; I am quite sure he only receives about 10s. a week for it.

820. Is there any account returned of it?—It has not been returned for some time. The rent is about £20 a year.

821. What proof have you he does not receive more than £20?—No proof, but a certain knowledge. There has been no record for five years certainly.

822. Evidently when that arrangement was first, it was contemplated he would realize larger emoluments out of his receipts?—Yes. When that market was introduced it furnished very much, but it went down very rapidly, and because a responsibility to the Corporation, and they threw it up.

823. Do you know what in the last year of which you have any account?—No; there certainly has been none for five years.

824. Mr. McEvoy.—Have there been any complaints about the scales and weights of that market?—The scales and weights are tested by the inspector of weights and measures, free of all charge by us. The "emmen" has his title under the charter.

825. Practically the market is his market?—Yes.

826. Mr. LAWLESS.—Is there any claim on the Corporation for the rent?—There is no claim on the Corporation.

827. Suppose you appointed no weigh-master, who would have to pay the rent?—There would be no rent then payable.

828. CHAIRMAN.—Who is Mr. Lawrence Keogh to whom the rent is payable?—He is the present owner of the market, and a cousin of the weigh-master.

829. Mr. LAWLESS.—You say here (referring to return), the market is subject to a rent, that means a rent payable to some owner. Friend facts that would mean a rent payable by the Corporation to somebody or other?—The rent is paid by the owner; there is no claim whatever on the Corporation.

830. CHAIRMAN.—Why is it you never received any account of these fees since August, 1897?—The answer to that must be that the expenses of the markets exceeded the fees, and the Corporation were so satisfied of that, that they ceased to keep any record. The cause of this is to be found in the "Weights and Measures (Ireland), Act," by which all trade was abolished. The alteration in the Act allowed individuals to use their own scales.

831. Now, let us turn to the Hide-crane and Rag-market, Bonmahon-street. Is that let by the Corporation?—It is an annual building, rent being received for it.

832. Is rent paid to the Corporation for it?—Yes.

833. Then, in fact, it belongs to the Corporation?—The ground belongs to the Corporation, and the Lord Mayor has control over it as he has over all other markets.

834. The annual rent is paid apparently by James Macken, who is, I suppose, the weigh-master?—Yes; he is the "emmen." He is the recognised tenant of the market.

835. He pays £20 a year, and gets what he can out of it?—Yes.

836. Is he required to make any return to the committee of the Corporation of what he gets by it?—No.

837. Is it let to the highest bidder?—I do not know. It belongs to No. 3 Committee, you see, who have charge of the land on lease.

838. Mr. CURRIE.—It was let in the year 1863 to the present tenant, at an annual rent of £70. Rent was put forward by him why the rent should be reduced, and the committee reduced the rent to £50 a year.

839. Do you know whether it was then put up to competition?—I do not think it was.

840. Has the same man remained as tenant?—The same man has remained as tenant.

841. Did they take any steps to ascertain whether they could get a better letting?—I cannot say.

842. Mr. LAWRENCE.—Was it let from year to year?—It was let for one year.

843. CHAIRMAN.—Having let it to him, did the Corporation absolve themselves from all responsibility?—It has been set as a tenement.

844. Is no supervision exercised over this corner?—There is no supervision over him.

Deceased.
April 26, 1875.
Mr. Hampton.

Mr. MICHAEL LYONS continued.

Mr. Michael Lyons.

845. Witness.—About two years since a memorial was sent in giving an account of the grievance under which the hide merchants of the city of Dublin, of which I am one, laboured under; and it so chanced I preserved a copy of it, and I cannot do better than lay it before you. (Hands in copy of memorial.)

846. CHAIRMAN (having read memorial).—The substance and gist of this memorial is that the weigh-master has become a dealer in hides and skins to the prejudice, as you allege, of the trade?—Yes.

847. This was in 1865. Have any steps been taken by the Corporation?—None whatever, although I paid a visit to Mr. Lalor, and to the law agent.

848. Do you consider the same state of things still continues?—I am sure of it.

849. And you say one of the rules that formerly governed the weigh-master was that he should neither buy nor sell?—Precisely so.

850. Did you ask Mr. Lalor whether that was one of the rules when you were with him, or did you take steps to inquire whether that was one of the rules before writing?—I knew from my own knowledge that was the old custom. I think I spoke to Mr. Lalor on the very same subject.

851. Did you ascertain whether or not, when the market was let to the present man, any such conditions were imposed on him?—Mr. Lalor told me there was no such condition imposed. Mr. Morgan, the law agent, gave me to understand that it was illegal for him to be a dealer, and told me to renew the application before the next letting. Well, we never had any intimation of a new letting since.

852. There does not appear to have been any new letting?—Probably not.

853. Was that memorial signed by yourself and several others?—By myself and six others.

854. And no answer has been received?—No answer has been received. Mr. Lalor told me the reason no answer was received was, that it was not got up at a regular meeting; that all the signatures followed in succession, and that there was no one to be selected from the list of signatures to reply to. Mr. Lalor told me he brought it before the committee, and that this was the only answer given to him; although our addresses were given in it.

855. Did you either offer to present a fresh memorial signed by yourself on behalf of the others, or express a desire you should receive an answer yourself?—I told him I or any other of the names in the list would be happy to receive the answer, and that for that reason he might send it to any one of us. I called on Mr. Morgan a year or so after, and Mr. Morgan's advice was for me to take it up before the next letting.

856. Mr. LAWRENCE.—Is there any by-law of the Corporation preventing a person engaged in the hide trade being a cramer, or requiring the cramer should not be in that particular trade?

Mr. Lalor.—I am not aware.

857. I suppose there are by-laws?—There are no by-laws attached to this market. The answer to the memorial was this?—It is not under the control of the market committee. The memorial when received was

referred to Committee No. 3 for inquiry. They sent it back again to Committee No. 2 to make inquiry and investigation. Committee No. 2 investigated the matter; they went into details of the memorial; and they found that the allegation of the memorial was to the effect that the buyers in the market were injuriously affected by the competition of the trade; but that the country people—the sellers—were not only perfectly satisfied, but were rather pleased at the additional competition, as they thereby received a higher price than if the competition were limited to the natural traders of the city.

858. Is there a report to that effect in existence?—That matter was then investigated by the Committee; it was referred to Committee No. 3; they carefully investigated the matter, and then they found there was no injustice to the sellers of the hides who sent in there, but that it was rather a benefit; that there was no fraud, and no intention of fraud detectable; but that it had rather the effect of enhancing the value of the goods sent in.

859. And No. 2 Committee reported to No. 3 Committee?—Yes.

860. Did No. 3 Committee take any steps in the matter?—No.

861. CHAIRMAN (to Mr. Martin, secretary to No. 3 Committee).—Do you know, Mr. Martin, whether any steps were taken by Committee No. 3 in that matter?

Mr. Lalor.—The report came from No. 3 to No. 2 Committee, to investigate. They investigated it, and sent it back to Committee No. 3, who sent it back to Committee No. 2. The duties of No. 3 Committee then ceased, and it was for No. 3 Committee to act upon it. Therefore, I had no authority to communicate with Mr. Lyons, or any gentlemen whose names were in the memorial.

862. You remember Mr. Lyons calling on you when they did not receive an answer, to inquire why they did not receive an answer?—I remember Mr. Lyons calling, and he was very kind in giving me all information to help me on the road of the inquiry. I am under the impression I told Mr. Lyons (it was a couple of years ago) that the matter was in the department of No. 3 Committee, and that, doubtless, he would get an answer from them. I did not intend to convey any such impression as that Mr. Lyons labours under.

863. Witness.—One gentleman, who is one of the largest dealers in hides in Dublin, because so thoroughly disgusted, he ceased for several years to trade in the market at all; and he wanted me to follow suit, and said we would certainly close up the market.

864. Mr. LAWRENCE.—How do you think, Mr. Lyons, the fact of the cramer being in the trade affects the buyer and seller injuriously?—I will tell you how it affects me, and probably others too. Collectors of hides through the country take in several classifications of hides, some heavy hides and some light ones. For instance, kid skins go in, rabbit skins go in, and skins of that kind. Then, the cramer comes and over-takes the heavy lot of hides, for which the competition is so large and our profits so small, but passes to the smaller class of hides he has picked out of them, and leaves us to contend with the heavy lots in our hands.

DUBLIN.

April 26, 1877.

Mr. J. J. Lalor.

865. *Witness*.—The remaining two markets, the butter and egg market in Little Green-street, and the united butter market in Thomas-street, are old markets that have died out.

866. *CHAIRMAN*.—How many weigh-houses are there?—Three; at Eden-quay, City-quay, and Burgis-quay, weigh-houses have been established.

867. How long have they been established there?—Since very shortly after Lord Mayor Jervis's report. At the time they were established, during which there was no charge for weighing, there was no business done at all. Then they were intended for the weighing of coals. Then people occasionally dropped in with a load of corn or scrap iron; and it was recommended to the committee they might be of general use, and that a uniform charge might be made, and a uniform charge is now made of 2d. per each load not exceeding two tons, and a penny per each ton or part of a ton over. This is on the gross weight of the cart and horse. There is the form furnished every week to the committee. (Hands in form.)

868. James Macken, Burgis-quay, gets 40s. per week; Henry Carter, City-quay, 15s. per week; and William Harwood, Eden-quay, 28s. 6d. per week?—Yes.

869. How do you get their receipts?—Mr. Macken goes down, and checks over the record from the books, and sends that up officially. They are bound in a book, and the accounts are checked over by the auditor.

870. Do these weigh-houses pay or not?—Eden-quay pays us, and the others are a loss; the three taken together result in a loss.

Mr. Lalor's examination resumed.

871. Can you say what was that loss last year?—Mr. O'Donnell.—Here are the returns for the three. (Hands in returns.)

872. *CHAIRMAN* (having examined returns).—Practically, I find Eden-quay weigh-house just pays its expenses, and the others are worked with a loss of £150 per annum between them.

873. Mr. James Davis, auditor.—On the subject of charges made on shipping called city dues, I would wish to ask why it is that some charges are made on vessels which don't use the tides and weights at all. I must assume it is right I suppose, but it is a hardship. *Witness*.—There are no means for compelling you to use them, but nevertheless they are there for you use if you require them.

874. *CHAIRMAN*.—There is a special Act of Parliament dealing with the subject.

Mr. O'Donnell.—If you read the report of the Commissioners of 1855, you will find the whole matter discussed there, and it is very doubtful whether legally they can be charged for or not.

Witness.—The Corporation are very liberal with regard to the use of those tides and weights. If a ship is required to be discharged rapidly, and a second or third set are required for additional business, every succeeding set after the first is only charged half price for.

Mr. O'Donnell.—It is a matter for consideration whether there is any necessity for keeping up these tides at all.

875. *CHAIRMAN*.—That may be a question for Parliament, but not for us.

April 27, 1877.

Mr. J. J. Lalor.

APRIL 27, 1877.

(Before Mr. CONNERT and Mr. LAWRENCE, &c.)

Mr. J. J. LALOR re-examined.

876. Mr. LAWRENCE.—You are secretary of No. 2 Committee?—Yes.

877. Are you acquainted with the constitution and management of the cattle market?—I am.

878. Under what Act was that market formed?—It was under the Improvement Act of 1849, the 12th and 15th Vic. That gave the Corporation the power of constructing markets.

879. Then it was under the 12th and 15th Vic., c. 97?—Quite so.

880. Was the market constructed first by a cattle market company formed under this Act?—There was a company sought powers to make a market, and the Corporation exercised their powers under the Act of 1849.

881. Mr. O'Donnell.—After spending a couple of thousand pounds in opposing that bill?—I have only to deal with the facts. It was under the Act of 1849, which gave full powers.

882. Mr. LAWRENCE.—The cattle market was constructed by the Corporation then?—Yes.

883. When was it constructed?—It commenced in 1863, and was completed in 1864, or rather opened then.

884. What was the expense of constructing that market?—The first expense was £17,000.

885. How was that money raised?—It was raised by mortgage, with a defalcance upon them that the lenders of the money undertook to take any percentage that the market would pay not exceeding six per cent, and the money was lent on a term of fifty years.

886. You state that the £17,000—the first amount borrowed—was payable in fifty years?—Yes.

887. Was it by instalments?—No; there is nothing about a sinking fund. It is payable in fifty years, the Corporation reserving to themselves the right of redemption at any time.

888. In other words, it was left outstanding for fifty years?—Quite so. The Corporation can redeem at any time.

889. Upon what security is that £17,000 borrowed?—The Act, of course, makes the improvement fund liable, but the interest is solely secured upon the income of the cattle market. It was borrowed for fifty

years from the 1st of January, 1864. The first three years they did not pay the full six per cent.

890. When was the cattle market opened?—In 1864.

891. You say the first two or three years they did not pay the full six per cent. interest?—No; but the balance due in those years have since been made good.

892. The £17,000 was borrowed upon debenture mortgage bearing interest at six per cent, but subject to the condition that, in case the surplus half-yearly amount of profits of the market, after the payment of all expenses and management, should not in any half year produce a sum sufficient to pay interest on the entire sum borrowed at the rate of six per cent, that the mortgagees should accept such lower rate of interest for the half year as the surplus income would be adequate to pay?—Yes.

893. Were there any further sums borrowed?—There were; £250 to complete over and above the £17,000 issued to the contractor.

894. That makes £17,250?—The latter of which sums bears interest at five per cent only.

895. Was that subject to the same conditions as the £17,000?—It is subject to the same conditions.

896. Were there any further sums borrowed?—There were, for the further extension of the market.

897. When were they borrowed?—They were borrowed five years ago—in 1872. There was £3,500 borrowed then at four and a half per cent fixed.

898. Was there a further sum of £3,500 borrowed?—There was a further sum of £3,500 borrowed for still further extending and increasing the accommodation.

899. At what rate of interest was that borrowed?—On the same principle and on the same terms as the loan of £17,000, viz. six per cent, subject to deduction if the profits did not realize the full amount.

900. Mr. O'Donnell.—From the improvement fund the whole interest came?—The interest was to be paid out of the profits of the markets. The sums borrowed form a portion of the £100,000 authorized by the Act of 1849 to be borrowed.

901. Mr. LAWRENCE.—What is the cattle market

for the sale of—For the sale of all live animals—horses, cows, calves, sheep, goats, pigs—everything.

902. What is the income derived from it?—I mean what is the nature of it?—Solely from dues of cattle exposed for sale—sold or unsold. All cattle brought into the market pay certain tolls fixed by schedule.

903. Under what authority is that schedule prepared?—Under the Act of 1845.

904. Do the Corporation derive any rents from any portion of the premises on the market?—There are wooden offices erected for the convenience of the subtenants, and they pay a weekly rent for the use of them.

905. So that the income derived from the markets consists of these two sources only?—There are further incomes. There is the rent of the City Arms hotel, which was part and parcel of the premises of the market; and five brick "seed offices" in one of the passages.

906. How are they set, and what for?—They may be set for almost anything you please. Some of them are used by seed merchants, some of them by a cloth merchant for the exhibition of his goods, and they are called "seed offices" technically.

907. Did the Corporation purchase the ground upon which the markets stand, or do they rent it?—They rent it.

908. What rent do they pay for it?—They pay Mr. Jackson £225 a year for the cattle market, and they pay Mr. John Martin £80 a year. That is the only rent they pay and that includes the hotel.

909. That makes £315 a year or rent?—Yes.

910. For what term do the Corporation hold the premises?—They hold in perpetuity, I believe.

911. Mr. O'Donnell (city accountant).—The rates vary. The rents that were paid for 1875 were £335 8s. 4d.

912. Mr. LAWLESS.—Does that include arrears?—No, that was for the year 1875.

913. But there must be arrears of rates or rent in it?—Arrears that were not asked for or demanded. It was actually drawn, but not asked for.

Mr. LALOR.—Yes; that is so.

914. Mr. LAWLESS (to Mr. LALOR).—What officers do the Corporation employ for the management of these markets?—Mr. Gallagher.

915. What is his official position?—Superintendent, and his duties are defined in the document I handed in; and his salary and date of appointment.

916. Is there only one superintendent?—Only one superintendent.

917. What is his salary?—£100 a year?—£100 a year. There are labourers of course employed who are not officers.

918. CHAIRMAN.—And how long has he been appointed?—Nearly four years.

919. Mr. LAWLESS.—I suppose there was some one in the place before him?—Yes, Mr. McCann.

920. Is it Mr. Gallagher's duty to receive the tolls and dues payable by the vendors of cattle in the market?—It is.

921. Is it his duty to keep an account of the money so received?—It is.

922. And how does he pay it into the Corporation?—It is paid in every week and lodged by him on a receivable order which he gets from the city treasurer.

923. Does he lodge the money himself or hand it over to the city treasurer?—By a recent order of the Council all moneys are lodged by the officers. The treasurer receives no money. Mr. Gallagher's account is furnished every week to Committee No. 2, giving the names of the owners of the cattle—specifying the description of the cattle, giving the number of beasts, the number of sheep, the office rent paid, and the gross value, from which he deducts the wages of the labourers previous to lodging the balance.

924. CHAIRMAN.—Is that a new system in consequence of the defalcations that arose under the other superintendent's management?—No; it was the old system, not carried out.

925. Because Mr. Finlay, in reporting on the defalcations of Mr. McCann, said there was no check exercised upon his receipts, but that now there was a more efficient system?—No, it is the same system, but it was not then checked; it was not carried out. It was not carried out by the officer whose duty it was to do it.

926. Mr. LAWLESS.—What were the defalcations of Mr. McCann?—About £315.

927. Mr. O'Donnell.—£114 were made good of the deficiency in the year Mr. Finlay audited. It was the first year of the audit he discovered it, and that amount was made good. The rest was lost.

Witness.—Not lost. It was secured to the Corporation on bond at his death.

928. CHAIRMAN (to Mr. LALOR).—It is not, I believe, paid yet, but you have a bond for it?—Yes.

929. Mr. LAWLESS.—Is it by an insurance?—Not by the Corporation, but by the family. It is part and parcel of the bond.

930. Your present superintendent, however, is obliged to lodge the money every week?—Yes, every week.

931. Has he given any security?—He has.

932. On what terms?—£500.

933. Is that by bond?—It is by two sureties and himself—himself in £500, and two sureties in £500 each.

934. Have you got his bond?—It is in the Town Clerk's Office—in the muniment room. (Bond subsequently produced.)

935. You say there are labourers employed at the Cattle Market?—Yes.

936. By whom are they employed? Is it by the superintendent?—There is an overseer's assistant appointed by the Corporation, and the labourers by the superintendent, subject to the approval of the Committee; and any alteration, if he has occasion to dismiss a man for absence or misconduct, he reports, and says, "I have nominated so and so," who is taken on approbation for a month, and if found to be worthy, and favourably reported on by the superintendent, he is allowed to continue.

937. Is it the case, then, that the superintendent is the only officer appointed by the Corporation, and paid direct by them?—The superintendent, and Mr. Donnelly as overseer.

938. I find the superintendent returns here the gross amount of the collections, and deducts the weekly wages from it?—Quite so.

939. The weekly wages last year were £95 6s. 10d. l.—Quite so.

940. Does that include the head men's wages, and the wages of all the men, exclusive of the superintendent?—Exclusive of the superintendent. There is an item there charged for scavenging which formerly used to be paid to No. 1 Committee for cleaning the market. However, Committee No. 2 advertised for tenders to get the work done, and Committee No. 1 sent in a tender and offered to do it for £51 a year. Committee No. 2 thought they would make better arrangements, and now employ scavengers of their own. The difference is not much. It might so happen that that account you are looking at was paid a few days before August, 1875, and not within the year, so that the charge I allude to may not be in that.

941. They only charge for the labourers in the account for this year?—Quite so; but the other was an existing charge. It was formerly £51 a year, and now the Committee employ two men of their own, and sweep the markets themselves.

942. By whom are the rents for the cattle or seed offices received? Are they received by the superintendent?—The superintendent receives the village rent and the rent of the wooden offices in the market, and the city treasurer receives all the others.

943. Mr. O'Donnell, city accountant.—He issues a receivable order to the tenants, who lodge the money in the Bank of Ireland.

944. Mr. LAWLESS (to Mr. LALOR).—It does not go

Deane.
April 27, 1877.
Mr. J. J. Lator.

DEBATE.
September, 1877.
Mr. J. J. Laid.

through the hands of the superintendent?—No; it does not.

945. Is it the duty of the superintendent to keep an account of the number of cattle of every kind brought into the market?—It is.

946. I see you commenced on the 1st of September, 1875, with a credit in favour of the market of a sum of £488 13s. 11d., and then you mention in your account as due by the capital account £7,445 13s. 3d.?

—Yes.

947. How did that amount come to pass from the revenue account into the capital account?—It was money expended on the repairs and extension of the market—not borrowed.

948. Money expended out of income?—Out of income—on repairs, extension, and maintenance. It is not borrowed and bears no interest.

949. And practically it is not repayable?—No; it is invested in the market.

950. Mr. O'Donnell—I thought that was to go to the improvement fund—any profit remaining over after the 6 per cent. was paid.

951. Mr. LAWLESS (to Mr. Laid).—I perceive the receipts of the market for the year ending 31st of August, 1876, were £3,357 14s. 3d., and to that is to be added £235 13s. received for rents, including the rents of the hotel and seed offices?—Quite so; not the rents of the wooden offices though. Only the rents of the hotel and seed offices. The weekly offices held by the salesmen are paid weekly.

952. They come in under the head of stables?—Yes.

953. That would make the gross receipts for the year of the cattle market £3,611 6s. 3d. I have not the figures before me to check it, but I will take it that that is correct. Permit me to correct the statement I made in reference to the services of Mr. Gallagher. I find the amount is £500, and not £509 as I stated—himself in £360 and two stewards in £150 each, jointly.

954. What is the meaning of the small item lodged by Miss Dowd—£3 13s. 4d.?

—Her proportion of the insurance.

955. Who is she?—Tenant of the hotel. The Corporation insure for a certain sum, and she is bound to pay one-third of the insurance. The Corporation pays the entire sum first and she recoups them.

956. I see they take credit for the payment of insurance—£5 15s. 3d.?

—Quite so.

957. What is this sum £39 1s. 3d. that I see in the return?—That is the amount yielded by the £3,500 borrowed the year previously. It was not used immediately and was put in the bank on deposit receipt for the purpose of bearing interest. The money was borrowed in bulk, and was only expended by instalments.

958. Are Mr. Gallagher's services £100?—Oh, yes.

959. I see an item of expenditure claimed here—£325 6s. 11d.—for payment of rent and taxes?—Yes; for two rents payable by the market committee.

960. Are there any arrears in that £325 6s. 11d.?—There are, but we don't understand them as arrears—rents not called for.

961. They were not withheld?—No; they were not asked for. I think it was £150.

962. The rates for the year 1875 are described as amounting to £212 19s. 5d.?

—Yes; about that.

Mr. O'Donnell.—It was £135 8s. 4d., consolidated rates on the land, and £49 14s. 10d., rates on the premises, and £27 16s. 3d. on the seed offices.

963. Mr. LAWLESS.—What are the rates on?—The premises and seed offices.

964. (To Mr. Laid).—What is the rent received for the hotel?—£30 a year was the rent received at that time, but it has increased since then. The rent is £115 since improvements were made.

965. I see the first item of expenditure is the superintendent's salary for himself, and amounting to £100 a year. What is the meaning of £107 being charged?

—That is the difference of income tax deducted from

his salary the year before and paid to the Income Tax Commissioners, and charged to his salary.

966. Under the head of veterinary expenses, you charge £111 6s., as paid to Mr. Joseph?—Yes.

967. How is he paid?—Two guineas a week.

968. For every week in the year?—Yes.

969. What are his duties?—To inspect the markets, to see that there are no diseased animals exposed for sale. If he discovers one he removes it into the quarantine depot put up there, and then they are dealt with by the veterinary department of the Privy Council. The Corporation only remove. No diseased cattle are allowed to go into the market, but it being possible that they might slip in in the dark at night, he looks for them, and if any are discovered they are instantly removed and put into the depot.

970. I see you receive a payment of £8?—Yes, that is for the payment of expenses occasioned by postage, carding, and other things, and accounted for weekly.

971. Is it not by way of salary?—No; it is accounted for weekly. The committee meet at the cattle market occasionally, and the books have to be brought over there. It is not an actual expense. There is a balance in my hands generally.

972. The expense of lighting the cattle market was £36 15s. 4d. for last year?—I think that included former balances.

973. What is the contract with the gas company?—The same as on the city lamps.

974. Is it by the lump the payment is made?—So much per lamp. Each lamp is supposed to burn five cubic feet per hour. They are lighted on Wednesdays in the winter evenings from five o'clock till daylight on Thursdays.

975. There is an item for gas-lamps, £13 17s. 5d. Is that for the erection of lamps?—For the erection of lamps on the new and extended premises. These lamps are charged against capital, and if they were not so treated, the cost would have to be borrowed.

976. Under the head of "Mountings," there are charges for making repairs. Are they to the turn-cribs?—For paving and whatever other absolute repairs are required—drain work broken down by the cattle.

977. That comes under a distinct heading?—Yes; repairs not included in the contract.

978. The principal item of credit taken here is £1,541 12s. 9d. for interest paid on the cattle market bonds?—Quite so.

979. That is made up in two sums—one paid by Mr. Nugent Robinson, £851 12s. 3d., and the other due paid by the committee, £691 10s. 6d.?

Mr. O'Donnell.—That includes arrears. £1,513 a year, I think, is the interest payable on the cattle market bonds.

980. Mr. LAWLESS.—On the £17,550?—On £24,350. £17,000 first, then £200, then £3,500, and a second sum of £3,500.

Mr. Laid.—There are some of those the interest of which have never been called for.

981. Mr. LAWLESS.—Do you mean the full interest of six per cent. out of the profits of the market on the £17,000?—The whole sum.

982. This sum of £1,541 12s. 9d. included some arrears?

Mr. O'Donnell.—Yes.

983. I find an item of expenditure here which I think requires explanation—£290 2s. 8d. that is described as being a balance remaining in Nugent Robinson's hands out of sums paid to him for the purpose of paying interest on the cattle market bonds. Will you explain how they took credit for that?—Sums amounting to £1,142 11s. 11d. were advanced to Mr. Robinson by No. 2 Committee, for the purpose of paying interest on cattle market bonds. Of that sum he applied £851 12s. 3d. in paying interest upon those bonds, and the balance £290 2s. 8d. was part of his deficiency. All the deficiency in respect of the cattle market has been made good.

984. And the result of the account for the year ending 31st August, 1876, even before the deficiencies

Dublin
April 21, 1877.
Mr. J. J. Lalor.

were made good, was a credit of £131 0s. 2d. 1—
Quite so.

985. So that the cattle market more than pays its expenses, repairs, and interest on bonds?

Mr. Lalor.—Yes; the full interest upon all its obligations, after which it leaves a trifling balance to be carried forward. The result of that arrangement is that in place of obliging the Corporation to borrow for every little trifling repair the profit of the market is able to meet all the expenses.

986. CHAIRMAN.—Are then all necessary repairs paid out of profits?

Mr. Lalor.—Not only that but also some extensions.

987. Mr. LAWLESS.—Does Mr. Gallagher hold any other office?—Not under the Corporation.

988. CHAIRMAN.—All the cattle were formerly sold in Smithfield Market. What are sold in now?—Pigs and some cattle are still sold in Smithfield Market. It is a free market under the Act.

989. Smithfield being a free market, under the Act, you were excluded from levying tolls in that market. I have been reading Mr. Morgan's report on the markets, in which he refers to the great nuisance caused by having the pig market in Smithfield?—It is not exactly a nuisance, but the pig market has over-grown itself.

990. What he says is this—

"The pig market of Dublin, held during more than thirty years just on each Thursday, in the street called Hay-market, presents the strongest evidence of neglect, and defiance of all proper regulations. The same enormous traffic is there referred to as a description of the hay and straw market, has been also noted upon as causing a right in drainage upon the streets of the pig market."

"Considerable stalls have been made in the pig market, and the possession of such stallages has been procured in that market by placing twenty-nine or thirty pig pens together with chains and padlocks, and leaving them on the pavement, thus creating a public nuisance and a permanent obstruction from these obnoxious pens, on each Wednesday, and all occasions of Thursday's market."

"I have very frequently, by reports, called the attention of your Committee to the necessity of erecting pillars, or steel stanchions, to divide the pig market area, and immediately the Lord Mayor (for the personal interest of his unobstructed authority, with the assistance of the Police Commissioners, to cause the designated attention to be prevented by the removal from the pavement of all pens, and also the removal of all pens free of first street after conclusion of Thursday's pig market, until three o'clock, p.m., on the following Wednesday, and then to be re-erected only within the space to be enclosed by pillars."

What I want to know is whether if the pig market were removed to the cattle market it would not be a great advantage?—Decidedly a great advantage.

991. If such an arrangement were effected I presume you have plenty of space there?—Yes; but the Corporation have no power to remove the pig market.

992. Have they not the same power to remove it as they had to remove the cattle market?—No; the cattle market is not removed. There is only better accommodation provided for the market.

993. Why should not the same influence which induced the cattle dealers to take their cattle to the new cattle market, induce the pig dealers to remove the pig market?—So they would but for the vested interests in frontages. The persons who live in Smithfield are the parties who sell swine on commission, and as long as they can accommodate themselves and do their business where they live, they will not consent to a removal of the market. It is not a vested interest—it could not be enforced as a legal right, but it has become an interest by custom. In the cattle market in Prussia-street, there is ample accommodation for the sale of all store cattle, horses, swine, donkeys, and all live animals sold in Dublin. It rests with the people to come to the Corporation and they will provide accommodation, but the putting up of pens is a very expensive thing, and it would be a great disappointment to find afterwards that they would not be used.

994. It would surely be a great advantage if the pigs could be kept out of the hay market adjoining Smithfield. The Act only applies to Smithfield?—Well, the street called the Hay-market is the place where the straw is sold, and it is part and parcel of Smithfield.

995. Has it always been considered as forming part of Smithfield?—Quite so.

996. Would it not be possible to define an area for the pig market, by putting up railings and pens as suggested by Mr. Morgan?—It would be desirable, but not expedient. If you put up railings and pens for the pig market on Thursdays, they would interfere with the sale of hay and straw on Tuesdays and Saturdays.

997. Has that report ever been submitted to the Corporation?—It has been submitted to the Council, and part of it approved by the committee and acted upon.

998. Mr. LAWLESS.—I do not find in the accounts for the year ending August, 1876, any item for scavenging?—It was not paid that year. In the year ending 1875, you will see, £101 13s. 4d. for scavenging as per contract. At that time there was a contract with No. 1 Committee.

999. Is there now?—No.

1000. How is the work of scavenging done now?—Committee No. 2, employ two men as scavengers, whose services are further available on market days.

1001. Those men are employed as scavengers for cleaning the market?—Yes; and their services are further available on Thursdays or market days, as police to keep order.

1002. By whom are they paid?—They are paid directly by Committee No. 2.

1003. Their wages do not appear in the cattle market account?—They are not brought into the weekly account. They are paid direct by No. 2 Committee.

1004. Out of what funds are they paid by Committee No. 2?—The cattle market.

Mr. O'Donnell.—They are charged in the current year.

1005. CHAIRMAN.—What did the sale of the manure produce?—No. 1 Committee cleared the market for £61 a year; and No. 2 Committee had nothing to do with the manure. Since Committee No. 2 have been paying their own men for scavenging, they receive directly the money for the sale of manure.

1006. Mr. LAWLESS.—By the new arrangement Committee No. 2 are entitled to the money for the sale of manure?—Yes; and the item will appear in the current year's accounts.

1007. How often is the manure sold?—The contractor who has the manure has to collect and remove it. At the present moment there are advertisements issued inviting tenders for the sale of the manure. The contract with No. 1 Committee was up to the 31st August, 1876; and since then, No. 2 Committee have taken over the clearing of the market to themselves—some time after the commencement of the Corporation year; and they have since continued the same contractor who was employed by No. 1 Committee, and upon the same terms. They have lately issued advertisements to be published in all the newspapers inviting tenders for the sweeping and cleaning of the markets, upon conditions laid down by them.

1008. CHAIRMAN.—What I understand you to say is this: that since the end of the financial year, the 31st August, 1876, a new arrangement has been entered into, by which Committee No. 2 find and pay two men at a cost of 38s. per week for the sweeping the market; but notwithstanding that, they have, you say, continued the old contractor employed by No. 1 Committee to cleanse the market. Pray explain that?—Committee No. 1 had a contractor and Committee No. 2 have continued him, who undertakes, as soon as all the sweepings are brought out of the stalls into the alleys and crossings and placed there in small heaps, to remove it out of the market. For the manure he pays 6d. per load. It is a very tedious process. A record is kept of the number of loads taken away by him.

1009. What I understood you to say was, that you had a contract with No. 1 Committee, by which you were to pay them £61 a year for removing the manure?—Oh no! What I said was this: Committee No. 2

DEALING
April 27, 1877.
Mr. J. J. Lalor.

advertised for contracts for cleansing the market, that No. 1 Committee—the scavenging Committee—undertook the duty for £61 a year, that No. 1 Committee swept the markets with their own men and left the manure in little heaps in the alleys, and then they contracted with the present contractor to remove the manure, for which he paid six pence per load.

1010. Mr. LAWLESS.—Was part of the contract with No. 1 Committee, that they were to remove the manure and retain the value of it?—Quite so.

1011. CHAIRMAN.—What pecuniary advantage will No. 2 Committee derive from the change? Will they make anything by the sale of the manure?—They now receive 6d. per load for all the sweepings taken out of the market until a new contract is entered into.

1012. Can you say what you have got per week on an average from the sale of manure from the time of the new arrangement up to the present?—It comes to somewhere about £9 or £10 a year sold at 6d. per load. You know there is not very much manure, as the market is only one day in the week, and is only continued a few hours. I understand it stands the contractor about 5s. a load to remove the manure from the market.

1013. What do those two men do to whom you pay 38s. a week?—They sweep up the stalls, and sweep the manure into the crosses and alleys. The area of the market is very large, and the men are very hard set to get it all done between Thursday night and the following Wednesday morning.

1014. Upon that statement it appears to me that there is a dead loss to the Corporation of £90 a year?—Yes, the cleansing of the market costs the Corporation about £90 a year.

1015. Well, I should have thought you ought to have made a profit by the sale of the manure of your market?—If the Corporation were to employ carts to collect the manure and put it into stores (but here they have no place to do so), they might possibly get 5s. a load for it at certain periods of the year; but there is no place to store it. It is a great inconvenience, and up to the present it is a source of expenditure to the market.

1016. Mr. LAWLESS.—I suppose the public Varty water supply is available?—Yes, and without cost.

1017. Mr. McEney (to the CHAIRMAN).—There is one question I should like you to ask Mr. Martin, and it is this:—What relation is Watershill Murphy to Town Councillor Murphy? Is my evidence before the Select Committee I stated that he was the son of a Town Councillor, and it was afterwards contradicted by Mr. Norwood and some other witnesses, who said that he was not Mr. Murphy, T.C.'s son. Now I am informed that they are related, and I should like to know how they are related.

1018. CHAIRMAN.—What you want me to ask is—Do you know whether Murphy the water-bailiff is related to Mr. Murphy the Town Councillor? You have heard the question, Mr. Martin?

Mr. Martin.—I believe he is a relation.

1019. What relation is he?—I believe he is his nephew.

Mr. Barlow.—I can state the relationship correctly. He is his grand-nephew.

1020. Mr. BYRNE, &c.—Mr. Chairman, there is one matter of very great importance to the citizens in connection with this market which I am desirous you should have a note of to go before the Select Committee. In the year 1864 the Corporation undertook the management of the market at a weekly expenditure of £3 17s. 3d. With your permission I shall just read for you the defalcance:—

"Whereas the within sum of £460 forms part of a sum of £17,000, authorised to be borrowed by the Right Honourable the Lord Mayor, Aldermen, and Burgesses of the Borough of Dublin, under the provisions of the 'Dublin Improvement Act, 1863,' for the purpose of providing and establishing a new cattle market, at the lands of Mr. John Jennings and Mr. John Martin, on the North Circular-road, between Anglin-street and Penrose-street, in the city of Dublin, in which market certain tolls, rents, fees, and tithes are to be demanded and received, not exceeding the amounts specified

in Schedule D of said Act; and whereas it was agreed at the time said sum of £47,000 was authorised to be borrowed that the rate of interest with respect to the said sum should be such as to be in accordance with the provisions of the said Act, and in pursuance of such agreement, do hereby, for myself, my executors, administrators, and assigns, agree with the said Right Honourable the Lord Mayor, Aldermen, and Burgesses of the Borough of Dublin, that in case the weekly half-yearly interest of such tolls, rents, fees, and tithes which shall remain after deducting all costs, taxes, and expenses of management of said market, shall not in any half year or half year produce a sum sufficient to pay the said half-yearly interest on the entire sum to be borrowed under said authority, at the rate of six per cent. per annum; that then, and in such case, if my executors, administrators, and assigns, will accept and receive such lower rate of interest for such half year or the said surplus amount will be adequate to pay on the entire sum so authorised to be borrowed. But, in case such surplus income shall in any half year or half year within the period of fifty years from the 1st day of January, 1864, be more than sufficient to pay interest at the rate of six per cent. per annum on the entire sum so authorised to be borrowed, then, and in such case, it is agreed that such surplus shall be applied solely to make good the deficiency of interest in any and every former half year or half year during said period. In witness whereof I have hereunto subscribed my name this 17th day of 1867.

"Repenses of management of Dublin Cattle Market referred to in the above agreement, as ascertained by the average of the past six months, ending the 15th day of May, 1864, is, in pursuance of an order of the Municipal Council of said date—Average weekly expenditure, £3 17s. 3d. sterling."

Now, I contend that that was too small a sum to charge the lenders as against expenditure and to pay them six per cent. You will see yourself what the present weekly expenditure is, and that it amounts to a very large sum of money. The late Sir John Gray and myself had several controversies upon it at the time as to the insufficiency of that sum. I looked upon it as being an injustice done to the ratepayers. The Corporation undertook the management of the market for that sum, and I should like to compare it with what the actual expenditure is at present.

1021. CHAIRMAN.—Mr. O'Donnell, what are the average weekly expenses of the cattle market?

Mr. O'Donnell.—I will make out the return and put it on paper for you.

1022. Mr. BYRNE.—Expenditure there means everything but the rent and taxes. The cattle market is merely a mart for the convenience of the salesmen and cattle dealers, and I submit that it is unfair to the citizens of Dublin that they should be paying for a thing from which they reap no advantage whatever. I put down that sum as covering the weekly expenditure was, in my opinion, an injustice to the ratepayers.

1023. Mr. O'Donnell.—It is quite absurd to put down such an amount.

1024. CHAIRMAN.—Have you always paid the lenders six per cent.?

Mr. O'Donnell.—Yes; and there has been a surplus after doing so of £3,373 6s. 11d., which has been expended on capital account.

1025. Mr. BYRNE.—The maintenance of the market appears in the abstract of the Corporation accounts as a charge upon the improvement fund, and I believe it is in debt to the improvement fund.

1026. CHAIRMAN.—Have the expenses of the cattle market been paid out of the improvement fund account?

Mr. O'Donnell.—There have been no expenses paid out of the improvement fund for the cattle market that I am aware of.

Later on in the day, and after Mr. Byrne had left the room,

1027. Mr. O'Donnell said:—I find with regard to that £3 17s. 3d. that that was the average of the expenditure for wages for the first six months after starting the market. £37 5s. 1d. was paid as wages for the first six months ending the 15th May, 1864, and the average taken does not include repairs, painting, gas, &c., and it never was intended that the £3 17s. 3d. should cover those items.

1028. CHAIRMAN.—The wording of the bond would certainly lead you to think that it was so intended.

1029. Mr. Lalor.—In reference to Mr. Lyons' evidence yesterday, with regard to the hide, crane, and rag market, and the memorial presented by the dealers

as to the conduct of the owner, I find that No. 3 Committee reported to No. 2 Committee that after careful investigation they found no ground of complaint against him.

1030. CHAIRMAN.—Mr. Lyons told the cause of complaint against this man was that he was himself

suffered to be a dealer in hides, and that that acted prejudicially to the buyers.—Precisely.

1031. CHAIRMAN No. 2 took no notice of the fact that the owner himself bought hides.—No; they thought it was an advantage to the owners, and that, therefore, there was no fraud or mispractice.

Remon.
April 10, 1868.
Mr. J. J. Lalor.

Mr. JOHN MARTIN resumed.

Mr. John
Martin.

1032. CHAIRMAN.—I would just ask you a question now with regard to the hide, crime, and pig market. It has transpired during the inquiry, that it was originally let to the present owner, Macken, at £70 for one year in 1864, in 1868 it was let for one year at £60, and in 1869 it was again let at £60 a year, and which rent it has remained ever since. Do you know why the rent was reduced?—I suppose from some representation of the owner.—I should say so, but I can look for the minutes.

1033. Will you be good enough to ascertain the grounds of the reduction, and whether or not any steps were taken to offer it to public competition when Macken complained that the rent was too high. I should like to have this matter cleared up.—I shall look up the documents.

1034. Let me know whether it was put up in the first instance to public competition when let to Macken, and whether it was offered to competition when Macken complained it was too high.—In fact I want to see whether the Corporation took steps to get the best terms they could for the market.—[This information was afterwards supplied by Mr. Martin, and will be found in answer to questions 1035, 1036.]

1035. Mr. Lalor told us just now that when the matter was referred back to Committee No. 3 to inquire into the complaint made in the memorial against Macken the owner they decided that there was no cause of complaint. Now, here is his proposal:—

"I hereby propose to become your tenant in that part of your estate known as the Green Hide Cows, Busham-street, in the parish of St. Catherine's, and county of the city of Dublin, for the term of one year, commencing from the 1st July, 1871, and ending on and about the 1st July, 1872, and subject to the rent of £250 sterling over and above all taxes and rates which I shall also pay in the 1st July, 1872 (except the landlord's proportion of poor rate and income tax). I have already lodged with you £25, being the amount or money of rent now in advance to the 1st January, 1872. I shall pay the second half of money on or before the 21st December, 1871, in advance to the 1st July, 1872, and I shall keep the said premises properly cleaned and thoroughly repaired to the satisfaction of your engineer or architect, who are to be at all times at liberty to inspect same. I shall also strictly observe and adhere the several rules prescribed by your Committee No. 3, and I shall not during my tenancy directly or indirectly buy, sell, or deal, for my own profit or gain, in any goods of the nature or kind usually carried for sale in the hide market; and further that during such tenancy I shall allow to the buyers, sellers, or dealers in said market, their usual and accustomed access and facilities for dealing therein, and that I shall not during my tenancy undertake the same or such other kind of said trade for any longer period than three months, and make no tenancy to any of said offices to extend beyond the 1st of July, 1872, and that I shall not under penalty of a further increased or penal rent of £100 sterling undertake any or several, or assign my tenancy or possession of said premises without your written licence, such penal rent if incurred to commence from the date any such breach of the event of such underletting or assignment without such written licence. I shall also at my own expense erect an insurance office fire in said premises with the National or Friendly Assurance Company of Ireland as the best means of myself and the City treasurer for the sum of £500 sterling during my tenancy, and produce to said treasurer the receipt for the premium paid thereon, and in default thereof I am to be subject to a further increased or penal rent of £20 to the 1st of July next, and sum of £200 to be applied in the whole or in part to make good any injury done by fire during my tenancy."

I should like to know how the committee came to find that there was no ground of complaint when it was distinctly stated in his agreement that he was not to buy, sell, or deal in hides, and Mr. Lalor has stated that it was admitted he did buy!—Upon the minutes of No. 2 Committee it is stated that No. 3 Committee reported that there was no just ground of complaint against Macken.

1036. CHAIRMAN.—Mr. Corbin handed me this as being the last agreement, and the one under which he is working now.

Mr. Martin.—Well, I find on reference to the

minutes-book that No. 3 Committee reported back to No. 2 Committee that there was no just ground of complaint. They must have reasons of their own for making that report.

1037. CHAIRMAN.—Then I should like to know them, for I inferred from Mr. Lalor's evidence that it was an admitted fact that Macken did buy and sell.

1038. Mr. McEneaney.—And that it was to the advantage of the sellers he did so.

At a subsequent stage of the proceedings Mr. Martin produced the following report from the law agent (Mr. Morgan):—

"Green Hide Cows, Busham-street.

"Mr. Joseph Macken, who has for the last three years been tenant to the Green Hide Cows, at £70 per year, above taxes, payable half-yearly in advance, has called upon me and stated that the business of that estate has so much increased within the last year of his tenancy that he had not intended to propose more than £20 for the year ending 1st July, 1872, but in consequence of the long waiting by the Corporation, in respect of the offer of said dwelling-house at his request, he has consented to make a new written proposal at the rate of £250 for the year ending 1st July, 1872, above taxes, in tender here at his last proposal, with the addition to insert the proviso against fire in the joint names of himself and the city treasurer, with the National or Friendly Assurance Company at £200. From what I believe as to the present state of the new Hide trade, and my previous knowledge of Mr. Macken as tenant to the Corporation, I recommended his proposal to be accepted, and that the city treasurer may be authorized to receive and issue a receipt for the first money, £250 in advance to the 1st January, 1872, appended to his proposal. Order.—Report adopted."

On the 3rd July, 1869, Mr. Morgan again reported:—

"I have received a letter dated 29th ult., from Mr. Joseph Macken, who has been tenant to the Green Hide Cows, Busham-street, for two years, ending 1st July, 1869, at £70 per year, payable half-yearly in advance, but without for the year ending 1st July, 1870, to £200 per year, now proposed to hold for £20 for one year, to 1st July, 1870, and enclosing an account of his receipts for the last six months amounting to £20 10s., showing that if profit over rent and wages for his own attendance during that period. If your committee shall not assent to Mr. Macken's proposal (which I feel inclined to recommend for the present year), I will, if so directed, include the hiring of the Green Hide Cows for our year, from 1st July, 1870, at the next public meetings. Order.—Report adopted. Mr. Macken's proposal accepted."

That proposal was accepted, and it so continues.

1039. Was there ever any attempt made on the part of the Corporation to get higher or better terms from anyone else?—No.

1040. But why was nothing done when Mr. Lyons and his fellow memorialists complained of Macken buying hides in the market, which was, of course, in direct contravention of his agreement with the Corporation?—But you will remember that Mr. Lalor's explanation of that was that the sellers were much pleased at the competition.

1041. Then why did they introduce that clause into the agreement?—The Corporation admit that it was in contravention of that clause.

1042. Mr. McEneaney.—I should like to go into the working of the system of adjusting and inspecting weights and measures, and I have witnesses here who are anxious to give evidence in reference to it.

1043. CHAIRMAN.—I think we have sufficiently gone into the mode in which the inspectors of weights and measures discharge their duties. If any question is to be raised as to whether these officers are discharging a duty which they are not called upon to perform, it had better be done by remonstrance to the Corporation. I shall just quote an extract from a further report of Mr. Pinkey upon this matter, and if any question is to be raised with regard to what is to be done with this money for adjusting the weights

Dr. HARRIS.
August 11, 1875.
Mr. John
Martin.

and measures that had better be done before the auditor, Mr. Finlay. In his report Mr. Finlay says:—

"The rights of the Lord Mayor's deputies, or inspectors of weights and measures, to retain the fees they received as purveyors of their officers, instead of paying these over to the treasurer of the Corporation, having been questioned, I have again looked carefully into the matter. The Dublin Improvement Act vests in the Corporation the copies of standard weights and measures previously purchased by the magistrates of Dublin, and authorizes the Lord Mayor or his deputies to examine and compare them with all weights and measures used by tradesmen in the city, and where there are found to be incorrect or wanting, to seize them. It also directs that on acknowledgment by the Lord Mayor, they shall be forfeited and broken up, and the proceeds, on sale thereof, be placed at the credit of the borough fund. The 24th section directs that the fees for examining and comparing weights and measures, and for stamping such as may be correct, shall be the same as authorized by the Act 5 & 6 Wm. IV., cap. 55; and on referring to the 24th section of that Act, I find that the clerk of the market or inspection are required to compare, compare, and stamp, if found correct, all weights and measures brought to them for that purpose; and directs that every such inspector shall, once in every quarter of a year, account to the treasurer of the city, for the fees received by him under the Act, and shall pay the amount thereof to such treasurer. The 47th section empowers the Corporation to pay the deputies such salaries as they shall think fit, but to effect on the subject of fees. It would therefore appear that the fees for examining, comparing, and stamping, are the property of the Corporation, and not of the inspectors, and that it was not intended by the Dublin Improvement Act to remunerate these officers for their services by the addition of fees to their salaries, conferring in this respect the policy of the 3rd and 4th Vics., cap. 106, which substitutes salaries for fees in the case of Corporation officers. The inspectors allege, however, that their fees are paid to them, not for assessing, comparing, and stamping, but for adjusting, and they relied upon the terms of their appointment from the Lord Mayor as empowering them to adjust. But the inspectors only compare them to standards and compare all weights and measures which shall be used by all trades within said borough or said markets, and to seize and secure

all such as shall be false or illegal." There is no authority here for adjusting; and, moreover, the Lord Mayor would not delegate to his deputies powers which he does not himself possess. The inspectors thus alleged that in adjusting weights and measures they perform the work as tradesmen, and that it is not compulsory on the trader to allow his light weights, &c., to be adjusted by them, but that they employ any workman he chooses for the purpose. The question then is, in what capacity are the fees received by the inspectors—whether as deputies of the Lord Mayor or as independent stipendiaries, or as fees for work performed? It appears to me that the assessment in the order to employ the inspectors to perform the work of adjusting confers in the power which the law confers on the inspectors, as deputies of the Lord Mayor, to seize and carry away and include his light weights which are thus in their legal custody. The inspectors appear to have interpreted these fees and made returns of them to the Corporation as fees received by virtue of their office, in pursuance of the Acts of Parliament referred to, while retaining the amount for their own use. Under all these circumstances I think the fees received by the inspectors should be paid over to the city treasurer, as standing in the place of the treasurer of the Grand Jury, but the question is one on which, as I have suggested in a previous report, it would be advisable that the Corporation should obtain the opinion of counsel for their guidance. Should it be determined that the fees are to be paid over to the Corporation, the officers may not at once obtain such satisfaction from the change, and it is probable that the Corporation would feel themselves bound to increase to compensate, or nearly compensate by additional salary, the present salaries of the office of inspector for the loss of so much of the emoluments which they and their predecessors in office have hitherto enjoyed."

That is really the question to be determined, and it was with regard to that I went into the duties they perform as inspectors of weights and measures. They themselves admitted having received £100 in addition to their salaries for adjusting weights and measures. I see in 1875 they received £325 16s. 1d., which would be about £105 each for the year.

Mr. Thomas
O'Donnell.

Mr. THOMAS O'DONNELL examined.

1044. CHAIRMAN.—You say, I believe, the account-ant—I am.

1045. Do you keep all the accounts?—All the accounts of receipts and expenditure.

1046. And amongst others the improvement fund?—Yes.

1047. Does not the improvement fund principally consist of the receipts from the improvement rate?—Yes, the 2s. rate, which is collected under the 12th & 13th Vics., cap. 97, known as the Dublin Improvement Act of 1849, and also under the Collector-General of Rates Act.

1048. Under the Improvement Act the rate is limited to 2s. in the pound?—Yes.

1049. Is 2s. in the pound the amount that was last levied?—That is the amount always levied.

1050. You have then always levied the rate to the full amount?—Yes.

1051. What would the rate of 2s. in the pound produce in the taxable value of Dublin?—It ought to produce £59,000.

1052. Nearly £60,000, I believe?—Yes. The present valuation assessed is £394,899 3s. which at 2s. in the pound produces £29,489 18s. 6d.

1053. But there would be of course always some loss upon that?—Yes. I estimate that not more than £35,000 or £36,000 of that sum will be collected and lodged.

1054. You mean that something like £4,000 would, upon an average, be lost as irrecoverable?—Yes, irrecoverable.

1055. Irrecoverable from what causes?—That is a question I cannot answer exactly.

1056. But as a matter of fact you mean that £4,000 or thereabouts is lost?—We estimate that one-eighth almost of the amount assessed is a margin for losses, but for the account now under audit we have received over £50,000 on a lower valuation; but then that included arrears of former years, as you see from the account—arrear of 1873, 1784, and 1875.

1057. You have received this £50,019 3s. 11d. for the year ending August, 1875?—Yes.

1058. I will take the year ending August, 1875, because that has been already audited and passed, but the year ending 31st August, 1876; being at present

under audit, we cannot give Mr. Finlay's abstract of the account for that year in our report. I take it, however, as a matter of fact you got this £50,019 in 1875-76, whereas in the year before, ending August, 1875, you only got £32,090 3s. 6d. Can you explain the difference of more than £2,000 between the two?—I think one includes an allowance from the Government by way of bonus in lieu of rates on the Government buildings.

1059. That has come in for the first time this year?—Yes. The first lodgment was made in October, 1875, which begins this account.

1060. What did that amount to?—£2,550 15s.

1061. So that practically the amount received from the Collector-General on account of the ordinary rate this year, is rather less than the year before?—Yes; just so.

1062. Does it not result that £32,090, which is nearly what you got the year before there was any Government bounty, would be about the full average of your receipts, since the valuation stood pretty much as it is now?—No; it would be in "excess." £33,000 would be in excess of the average.

1063. Then I may take it that £33,000 is above the average of what you have received from the improvement rate for the last five years?—Oh, yes. The average of the last three years, ending August, 1875, was £32,547.

1064. The valuation has, I believe, stood very much the same during these three years?—It has varied a little.

1065. Yes, but not sufficiently to make any marked difference in the rate?—No.

1066. You told us just now that the last rate was, in round numbers, £29,500?—Yes.

1067. And would I be safe in saying that during the preceding three years the total amount assessed would be £29,000?—No; it would be less. The assessment for 1875 was £28,168.

1068. What I want to know is what you annually lose on the rate? You say about £4,000, but it seems to me to be more?—It would be more—about 12 per cent.

1069. You annually lose apparently between £6,000 and £7,000?—About that. Last year £22,909 1s. 6d. was lodged by the Collector-General of Rates to the credit of the improvement fund.

1070. Can you tell me how much of the current rate then in course of collection, was in arrear?—For the year 1875 we received on account of the assessment, £26,376 3s.

1071. What is the allowance for collection?—The Collector-General is allowed 2½ per cent. to cover expenses of his office, salary, &c., and if there is a surplus it is lodged to the credit of the different funds. The £23,909 is the net amount we received less 2½ per cent., which is for collection, and 10 per cent. for commissions, drawbacks, &c.

1072. Then before the £23,909 was paid in, the Collector-General had stopped for himself 2½ per cent. on the total of his collection?—Yes. We calculate 2½ per cent. on the margin for expenses, loss, and commissions.

1073. Is that 2½ per cent. by arrangement with the Collector-General or under an Act of Parliament?—It is under an Act of Parliament. "The Collector-General of Rates Act" entitles him to stop it.

1074. I see here that in addition to the improvement rate there is so much by assessment, which would bring up the improvement rate to more. You don't include that in the assessment?—No. "The expenses and the management of the office of the Collector-General, including salaries, &c., shall not exceed £2 10s. per cent. on the total amount collected." That is fixed by the 27th section of the Improvement Act; and under the 28th section he is entitled to deduct 2½ per cent. from the collection.

1075. The 27th section says it shall not exceed two and a half per cent., not that it shall be two and a half per cent?—The expenses are generally about two and a half per cent. and he accounts for it.

1076. Under the 28th section he is to remit on account of his expenses every three months. If in the first instance he stops two and a half per cent., and the expenses don't come to that amount, he has not to refund the difference?—He is obliged to send a return of the collection weekly; one to me and one to the treasurer.

1077. Then practically the course pursued is this—he stops two and a half per cent. for expenses from his lodgement, he returns to you an account, and if the expenses of the office are found to be under two and a half per cent., he refunds the difference?—First no. When I say he sends a return of the expenses, I mean that he makes a lodgement every year, and he sets forth whether there is a surplus remaining in his hands out of the two and a half per cent. which he has deducted.

1078. Do you get a further sum on account of these rates—a subsequent payment from the Collector-General?—Yes, to the extent of any surplus that remains.

1079. Mr. May. —It is very small, I think?—Yes, very small.

1080. CHAIRMAN.—Can you give us an illustration of that refund during the last three years?—The refund is included in the figures you have already got.

1081. I think you said the £22,000 was after deducting the two and a half per cent. on the collection?—Yes, but that includes a refund for the year before.

1082. Is it a very small sum?—Yes.

1083. And is it included in what is lodged as rates?—Yes.

1084. And not entered as a separate item?—No.

1085. I think you told us now that last year the total amount of rates was £28,091 17s. 6d., but in addition to that, I understand there is some portion calculated by measurement and not by the rate of 2s. in the pound?—Yes; in 1875 the amount to be collected by measurement was £2,863 10s. 6d. That would be in addition to the £28,091 17s. 6d.

1086. So that there would be nearly £61,000 collectible?—Yes.

1087. And you only got £23,000?—Well, that is all we got within the year; but that is not the entire assessment of 1875, that is only portion of the assessment, but it contains arrears of the previous year.

1088. So that there is always a large arrear running on from the preceding year?—Yes. It takes four years to collect the rates. The rate is kept in collection four years after each assessment, and we have our books ruled accordingly.

1089. So that the lodgement each year consists of instalments of the current rate and the arrears from the preceding three years?—Just so.

1090. What other principal items make up the improvement fund?—That is the chief item.

1091. Yes, but are there not certain receipts from Southfield market and the weigh-house?—Yes.

1092. In the year ending August, 1875, did not those receipts amount to £331 10s. 6d.?—Yes. That was the amount collected and lodged.

1093. Lodged by the weighmaster?—By the Lord Mayor's deputy weighmaster, and from the proceeds of coalified hay and straw, and proceeds received from committee on account of weigh-houses.

1094. Where are the city weigh-houses?—At Barge-quay, City-quay, and Eden-quay. The money was lodged, in order, to the credit of the improvement fund, and it was subsequently withdrawn and lodged to the credit of the borough fund.

1095. What does this mean, "Wide street rents, known as coal duty"?—These are rents which the Corporation took over when they took over the duties of the Wide Street Commissioners. Any property they had upon the Act 12th and 13th Vic. coming into operation the Corporation in January, 1851, took over. They also took over the liabilities of the Commissioners; and these rents, I think, amount to about £420 a year.

1096. I think £446 was paid last year, but is not the real amount £490?—Yes.

1097. They are described in the abstract I have here as, "Known as coal duty"?—That, I understand, means that the Wide Street Commissioners had power formerly to put a tax on coal ships, and they purchased house property and rents with the proceeds of this tax, and when the property was handed over to us, we still called it the coal duty account.

1098. Mr. Peake Neville (civil engineer).—I think the property did not all arise in that way, for the Commissioners got special powers for the purpose of purchasing houses, widening old streets, and making new ones, and some of the land remained unsold.

1099. The duty has, I believe, been abolished many years?—Yes.

1100. "Circular-road turnpike trust rents, £33 18s. 5d." Is that the rent of the houses on the Circular-road which were formerly turnpikes, but which have been abolished as turnpikes?—Yes; and these rents are received from the tenants of the houses.

1101. "Deposited for licences on works for private parties, including domestic scavenging, £2,917 8s. 2d."—Yes; that is the amount of the deposits made before new works are undertaken for private parties.

1102. What is the practice here on that point?—Any person who wishes to execute works must apply to the Corporation for a licence, and he must make a deposit when the licence is granted to him, and when the work has been finished if there is any balance remaining out of the deposit it is paid to him by the committee. The amount lodged for licences for the year ended August, 1875, was £2,211 4s. 7d.

1103. Mr. May. —It is noticeable that the chief part of the late city treasurer's defalcations was in these accounts.

1104. Are these works executed by the Corporation for these parties?—Yes.

1105. And when they want works done do they lodge a certain sum to keep the Corporation harmless?—Yes. The owners of houses are obliged to construct horse-drains, and they find it more easy to get it done by persons acting under the Corporation. They lodge a deposit to cover the cost, and if we find that the work costs a greater amount than has been lodged, a supplemental amount is charged and lodged. When the work has been concluded the cost is calculated by

DUBLIN.
April 17, 1875.
Mr. Thomas
O'Donnell.

the overseer connected with it. There are as many different descriptions of work to be done that that course is necessary—there are the bricklayer's works covered underground, then there is part of the road to be paved, parts of the macadamizing and flagway to be made good, and the expenses of all these are calculated from the different books of the overseers, and if there is a balance left it is returned, and if there is an excess it is charged to the person who makes the deposit.

1106. The estimate in the first instance, I suppose, made upon the opinion of a competent person?—Yes.

1107. Do you keep a book in which the original deposits are entered and in which there is entered the actual cost and credit then given to the parties and the money returned if the cost is less than was estimated, and in which, on the other hand, they are charged with the excess if there is found to be an excess?—Yes. In all cases as a rule there is a margin to be returned to the depositor. These books have been kept from 1851 regularly.

1108. Mr. O'Donnell—Does the committee see that the money is paid into the treasurer's account?—Yes. The auditor audits the account.

1109. In the book in which the account is kept brought forward in No. 1 Committee every week?—Yes.

1110. And is the disbursement account sent up with the original receipt and examined by the committee every week?—Yes, and initiated by them.

1111. If there is found to be a balance due to the parties and they don't apply for it, do you take any steps to notify to them that there is a balance in their favour?—Several efforts have been made from time to time to write off these books but the persons cannot be found sometimes; as a rule they are very particular about applying.

1112. But it does occasionally happen, does it not, that the work costs less, and there being no application for it, it goes to the benefit of the improvement fund?—Yes; but it is something very small.

1113. How long would these deposits run on?—At the present moment there is a house in Westmoreland-street, and to which a deposit was made two years ago by a large builder who has frequent transactions with the Corporation, but the work is still going on.

1114. In the great majority of cases I see there is a balance to be returned?—Yes.

1115. "Gas meter fees £23 7s. 6d." what does that represent?—Fees that were lodged by Mr. Connolly the inspector and superintendent of public lighting, for the testing of meters. The fees are lodged to the credit of the improvement fund.

1116. What does the £257 17s. 6d. for "measure sold," the next item, represent?—Measure sold at the depot.

1117. From the cleansing of the streets?—In some cases from the cleansing of the streets, but chiefly from the Corporation rubbish.

1118. How much of the £257 17s. 6d. was from the scavenging?—I don't show that in my book. I get these figures from an open cash-book kept in the treasurer's office. It is called the deposit account.

1119. Are you not able to sell the measure off the streets here, for in some towns it is a very large item. In Belfast it is some thousands?—What we get is something extremely small, about £140. The measure in Dublin is almost valueless.

1120. Would the sum received in the year before be about the same?—Yes; not so much in fact. The Corporation actually advertise offering to pay country people to take it away for nothing. It is pure socialism.

1121. That arises, then, almost entirely from the streets being macadamized?—Yes, chiefly.

1122. How often is the measure sold?—It is sold day by day.

1123. How many depots have you to which this measure is conveyed?—Within the city, on the north side, only one, at North Brunswick-street. There is a depot outside the city, near the city boundary;

another at Amersley-bedge; one on the bank of the canal, where a person named Durkin takes it down the country in canal boats, and brings up limestone for the Corporation. There are several about the North-wall, where there are works being constructed, and the difficulty of getting places for deposits is increasing, while the deposits are nearly all full. On the south side there is one at Marrowbone-hare, one at Blackpods, another at Port-street, &c.

1124. These are nearly all filled you say, yet you say you are removing measure daily?—Yes, but that is not sufficient. There is always an accumulating quantity. The staff was formerly used by ships as ballast until the Port and Docks Board stopped them, in order to make the ships take the ballast supplied by them.

1125. If the measure is so inferior and you have to convey it to these depots so far, I hardly see how you are to realize any profits.

Mr. Nevill, C.E.—It is a very serious question, the enormous cost of conveying it to the sea.

1126. What does the next entry—"£48 15s. 6d. from the sale of horses" mean?—The sale of cast-off horses and dead horses. When a horse dies we sell his body for 10s.

1127. It cannot represent many horses, for the whole sum is not equal to the price of one good cart-horse?—No; we don't dispose of any horse until he is well worked out.

1128. "Paving and channeling sold, £148 15s. 2d." What is that? Were these surplus ones?—No, if any private person requires them we supply them.

Mr. Nevill, C.E.—No; that was for materials sold to the Tramway Company for some emergency work. They wanted the paving and channeling sets, and we gave them some at what they cost us.

1129. Do you keep a large yard of materials for repairing the streets?—Yes.

1130. The next item of receipts is £102 1s. 2d. for old iron sold. Do you generally sell your old iron?—Yes; when it accumulates for two or three years it is sold by public auction.

1131. "For widening and improving streets," you seem to have received from the Grand Jury for paving roadways £2,310 15s. 7d.—A portion of that was on account of presentments made in Michaelmas, 1873, for the repairs of the quay roads, and an amount received on account of presentments made in Michaelmas, 1874, for like works.

1132. From what fund does that £2,310 15s. come?—Under an old Act of Parliament, passed by the old Port and Docks Board, all the quays east of the Custom House were repaired by presentment. This was not acted upon or discovered until a few years ago, and the quays were in a very bad state. When it was ascertained presentments were made year after year, by which the quays were paved. There is only one piece which remains to be done.

1133. I noticed in Mr. Finlay's report that he had to complain of the Grand Jury fund and the improvement fund being mixed up together. Is that so still?—I think this particular item has been kept separate.

Mr. Curran.—Originally all presentments were made in Michaelmas term for the maintenance of prisons, industrial schools, and reformatory schools, &c., and under the 12th and 13th Victoria the moneys were to be kept in one common fund, called the improvement fund; but we kept a separate account here, called the Grand Jury own account, as distinct from the improvement fund. Recently this north and south sewer fund, which was mixed up, has been kept separate. So far as concerns the Grand Jury and the improvement funds they still remain in the old way, but it is quite in keeping with the Act.

1134. "£154 12s. 8d. from Waterworks Committee for street openings?"—Yes. That is for work in repairing street openings where the Waterworks Committee had got pipes laid.

1135. "Alliance Gas Company, for the same, £1,438 7s."—That arises in the same way.

1136. Mr. Finlay says there is £500 due by the

Alliance Gas Company to the Corporation in respect of an agreement that the company should pay the expenses incurred by the Corporation in opposing a bill in Parliament on the condition that the opposition should be withdrawn. Is it true that the agreement has never been complied with?—That is a fact, but I cannot give any explanation of it.

1137. Were the expenses of that committee charged to the improvement fund?—No.

Mr. McEoy.—The explanation of it is this: The Corporation promoted a bill in Parliament in the previous year to have transferred to them the gasworks. The bill was thrown out, and the members of the Corporation were held personally liable for the costs. Next year the Gas Company promoted a bill, which the Corporation opposed, and as part of the terms upon which they withdrew their opposition the Gas Company agreed to give £300 towards the cost of the bill of the Corporation. The Corporation wished to apply that sum towards wiping off some of their liabilities for the bill of the preceding year.

Mr. Neville.—There was no agreement of the sort. That was not the point of the withdrawal of the opposition.

1138. CHAIRMAN.—What was then? Mr. Finlay says that £325 11s. has been paid to their solicitors' parliamentary agent. Did that come from the improvement fund?—It did.

1139. There were two sums that seem to have been charged this year for Parliamentary business in reference to the Alliance Gas bill and the Dublin Tramways bill. Mr. Finlay says that by the agreement the Corporation ought to have received £300 from the Alliance Gas Company. I therefore consider it incumbent on me to ascertain why that £300 has not been paid.—There has been a notice of motion on the business paper for a long time respecting that sum, namely, by Councillor French, as follows:—

"That the Directors of the Alliance and Dublin Gas Company be called upon to carry into effect their part of the agreement, under which the Corporation is the company's bill of 1874, notwithstanding, viz.—That the company would pay into the improvement fund of the city of Dublin £300 towards the costs and expenses incurred in opposing said bill."

1140. Then is your only answer that there is a notice of motion to be moved, that the Alliance Gas Company be called upon to carry into effect their part of the agreement?—Yes; and that has not been dealt with, because there has been other business to be transacted.

1141. You will this appear on the next agenda paper?—Yes.

1142. What are these two next items amounting to £106 11s. 1s.—We received these moneys from the Court of Chancery, interest on purchase-money of ground at Grangegorman prison, sold to the Midland Great Western Railway Company. Two half years' interest had been lodged in error to the Grand Jury fund, instead of to the improvement fund. The 112th section of the Dublin Improvement Act provides that all the purchase-money of lands sold should go to the credit of the improvement fund, and consequently we transferred this sum of £106 11s. 2s. to that fund.

1143. The subside of streets account and horse-hire account, has been, I see, charged with £1,483 15s. 8d., which was recouped to the improvement fund.—That is for three years—1875, 1876, 1875— which was recouped to the improvement fund from the north and south sewers. You will get a full explanation of that in my evidence given before the Select Committee, as to how credit was given to the improvement fund for that amount.

1144. I understood from Mr. Finlay, that there had been a great many expenses charged to the improvement fund which really belonged to these sewers—such as horse-hire, &c., and that they have now been recouped?—Yes. That sum was charged for three years against the improvement fund, which ought in fact to be borne by the sewers.

1145. That gives your total receipts as £63,828 15s. to the credit of the improvement fund for the year last ended?—Yes.

1146. Now going to the expenditure side, £3,237 15s. 7d. was the balance against the improvement fund at the commencement of the year?—Yes.

1147. The total expenditure was £61,684 6s. 11d., and that with the balance amounted to £64,913 2s. 6d., so that there was £183 7s. 6d. still due by the improvement fund at the end of August, 1875?—Precisely.

1148. This £61,684 6s. 11d. is made up as follows:—general works account £40,229 6s. 8d.;—Yes, under the following heads; paving, £9,049; macadamising, £13,143 14s. 2d.; scavenging and watering, £8,094 19s. 6d.; gas-lighting and flagging, £4,284 18s. 3d.; house drains, £715 8s. 7d.; miscellaneous and stores, £1,829 6s. 3d.; of which about £150 would be carpenters' and other wages, and the difference £1,442 would be for carts, trunks, iron, &c., and carriers' wages, £2,786 12s. 6d.

Mr. Neville.—We make all our own carts, wheels, and everything.

1149. CHAIRMAN.—Next year I see the wages came to £510?

Witness.—Yes.

1150. Your horses account is a large item, nearly £2,000, £2,090 7s. 11d.—There is £599 6s. for the purchase of horses; weekly wages of persons connected with stables, £541 6s. 4d.; forage, £1,040 13s. 10d.; veterinary surgeon, shoeing, &c., £252 16s.; harness and repairs, £73 3s. 7d.; stabling, £513 0s. 9d.; and miscellaneous, £124 2s. 5d.

1151. Your forage item is singularly large—£4,040 13s. 10d.—That does not represent the cost in that particular year. It includes payments for forage got the year before.

1152. How many horses do you keep?—Upon an average seventy-five or seventy-six horses. The £4,040 13s. 10d. includes £301 7s. 6d. for the year before, and one half-bredness for that year was £322 8s. 6d. so that £3,761 6s. 4d. would be the actual cost for the year, and that year the price of forage was enormously high.

1153. Taking seventy-five horses, the average cost for forage per horse for the year 1875 would be £50 2s. 1s.—Yes.

1154. Mr. Beeridge.—The Corporation are able to put up a horse and cart with driver at 8s. 4d. per day, and that includes everything.

1155. Mr. Neville.—The charge in London is 18s. per day.

1156. Mr. Beeridge.—I have just calculated the average cost per horse for the year ending 31st December, 1874, and it was £46 7s. 6d.

1157. The last items of the horses account are:—Veterinary expenses and shoeing, £323 6s. (or an average of about £5 per week); harness and repairs, £73 3s. 7d.; building, repairs of stables, and gas-lighting, £51 3s. 9d.; and miscellaneous, such as clipping horses, £124 2s. 5d. That makes up £6,143 8s. 11d.; then against that there is a transfer of £144 1s., which leaves £5,999 7s. 11d.—Yes.

1158. Then we come to salaries. These amount in that year to £3,266 16s. 8d. The secretary and book-keeper's salaries are £137 15s. 2d.

Deputy.
April 27, 1876.
Mr. Thomas
O'Donnell.

Mr. BEVERIDGE examined.

Mr. Beveridge.

1159. You are the secretary to No. 1 committee, who practically have charge of the improvement account?—Yes. My present salary is £300, and it cannot be more than £400 under the Dublin Improvement Act. My predecessor, Mr. Reynolds, had £400. I have only been

recently appointed. I commenced at £300 in the year 1875.

1160. Are you paid quarterly or monthly?—All salaries are drawn monthly.

1161. This £437 15s. 2d. with £300 11s. 6d. taken

DEPLD
Apr 21, 1877.
Mr. Reynolds.

together represent all that the secretary's office came to; so that the secretary's office we may say cost £738 6s. 8d. that year!—Yes.

1162. Was the secretary's salary included in that amount paid at the rate of £400 until May, 1875, and subsequently at £300?—Yes.

1163. How many clerks are there in the office?—At that time there was one clerk—a Mr. Clarke—who had lost his reason, and who was on pension for some time. The ordinary staff of the office consists of three clerks for general purposes, and two book-keepers.

1164. What are these clerks paid each?—The first is paid £78, the second £75, and the third £62. The book-keepers' salaries are—the first £150; and the other, who only acts as assistant book-keeper, £125. The latter was originally an inspector of out-door work; but being unfitted for that duty, he was transferred to the in-door department.

1165. Instead of superseding him then, they put him in as assistant book-keeper at a higher salary than they would otherwise have paid him?—Yes.

1166. That is £275 for the two book-keepers. Then yet say this Mr. Clarke has been pensioned. What is his pension?—£100 is his pension. His salary was £150 at the time of his leaving, but originally only £125.

1167. His salary was £130 in the beginning, and then in August, 1875, was it raised to £150?—Yes. In May, 1875, he became unfitted, and leave of absence was granted to him; and a temporary assistant was employed at £1 per week.

1168. Did Mr. Clarke write on leave of absence because an inmate of Richmond Lunatic Asylum, and was his salary then paid to his wife on her signing a declaration he was incapable of transacting business?—Yes.

1169. Why was this course taken when it was found he was in the lunatic asylum?—In the hope he would be able to return to business, the committee delayed taking any steps in his case until they signed that report in January, 1877, recommending that he should be removed from his office, under the 121st section of the Dublin Improvement Act.

1170. CHAIRMAN (having read document).—That was the law-agent's report to the committee. Then the committee resolved on adopting the law-agent's report, and decided he should retire on £100 per annum. Was that confirmed by the council?—Yes.

1171. Is he at present then entitled to a pension of £100 a year?—He is at present entitled to a pension of £100 a year. I do not know whether he has received any of it or not yet; the pension is payable only half-yearly. That will not be paid by No. 1 Committee, as all pensions are paid by No. 3 Committee.

1172. In August, 1875, when his salary was increased to £150 a year, was he in good health and able to transact business?—Certainly; a hale efficient officer. I always found him an indispensable officer. His books are here on record, and they are a credit to any institution. I only wish I could get a smaller man.

1173. I see the application came from his wife when she saw his health was completely broken down, with a certificate from a medical man that he was not likely to recover?—Yes.

1174. Now that dispose of all the expenses of the secretary's office. Practically the expense has been reduced by £100 a year?—It has.

1175. Has there been any increase in the other offices since your appointment?—The present cost of the office as compared with the time of my predecessor, exceeds the latter by £15 a year.

1176. Then although your salaries have been reduced there has been no decrease in the expenses?—We have taken in an extra clerk, but then the salaries of all being lowered, the difference is only £15 a year. Besides we keep a great many more books than we did, and the fact should be taken with this that the expenditure has increased by one-third in carrying out works under the loan.

1177. What salary has the extra clerk?—£62 a year. The former secretary had £400 a year, and the

present secretary has £200 a year; the former book-keeper had £260 a year, and the present has £125; the first clerk had formerly £120, and at present he has £78; the second clerk had formerly £80, and at present he has £65.

1178. Surely all these reductions come to very much more than the £52?—These should be other charges to make the expenses increase by £15 a year.

1179. I have not deducted the charge of £150 for Mr. Clarke. The actual decrease in the secretary's office is £175 less than it was.

1180. Mr. M'Evoy.—But you are overlooking the pensions.

1181. CHAIRMAN.—Oh, of course, that is a different thing.

1182. (To witness).—Is there any other person besides Mr. Clarke's thrown on the improvement fund?—There is a pension to Mr. Reynolds, my predecessor; he has got £104 a year. There is also a pension to a store-keeper, who gets 10s. a week, and it is paid by the improvement committee.

1183. Those two are £130, and Mr. Clarke's £100, makes £230.

1184. Mr. M'Evoy.—There is also Mr. Doyle.

1185. Mr. Curtis.—£424 a year would be the amount of the pensions.

1186. CHAIRMAN.—Have those claims to compensation which under the 121st section of the Dublin Improvement Act, inasmuch as the officers were under the Paving Board.

Mr. Curtis.—Two of them have—those of Mr. Doyle and Mr. Clarke. I came into office with the present Corporation, and these gentlemen were in office when I came in.

1187. Mr. Doyle and Mr. Clarke then got pensions as being members of the old Paving Board?—Yes.

1188. How did the others get theirs?—The others got theirs under the 32 & 33 Vic., cap. 183.

1189. The inspector of public lighting was paid £278 14s. 3d. What was his salary?—£300. He was paid £350 as public light tender, and £150 as water tender. The meter fees in that particular year were £150 18s.; they are £196 in the next year.

1190. About how much does the inspection of meters produce to the public?—About £260 a year.

1191. Is that the receipts from the fees pay that salary on an average?—Yes.

1192. The supervisor of works and the inspectors come next. What works are these?—Paving, flagging, macadamising, and generally everything connected with thoroughfares, the protection of dangerous buildings, &c.

1193. What salary does the supervisor get?—£200 a year.

1194. And then there are the inspectors?—There are two of these men; one has £300 a year, and the other has £150.

1195. Then, the only salaries for the supervisors and inspection of these general works would be £360. £390 less 11d. was paid in that year?

Mr. O'Donnell.—That is for eleven months.

1196. You do not seem to pay up your salaries fully in the year?—They are paid monthly, and become due at the end of each month; the year may close before the 31st of August, so that they may be only paid for the eleven months; but some years they may be paid in full. Suppose the 31st of August fell on Sunday, the salaries would be drawn previous to the 31st of August, and charged in the other account. Here is the account of the year before (hands in account), and you can see the gas-meter fees lodged were £319 18s. 6d.

1197. Mr. Curtis.—The gas-meter testing fees, I may mention, are increasing.

1198. CHAIRMAN.—What is the salary of Messrs. Webb and Edwards, the inspectors of weights and measures?—£150 as inspectors of weights and measures, and £15 as inspectors of diamond meat; Mr. Webb gets £10 as "inspector of petroleum" also.

1199. The total salaries paid to these officers was £198 7s. 4d. out of the improvement fund?—Yes.

1360. Do not these officers receive other payments?—Yes, out of the borough fund as inspectors of nuisances, Mr. Webb got £45 19s. 6d., fifty-two weeks' salary; and Mr. Edwards £26.

1361. The two together get out of the borough fund £72 as inspectors of nuisances. The treasurer's second assistant is charged to the improvement fund?—That was only for three-fourths.

1362. How comes the treasurer's second assistant to be charged to that fund?

Mr. Cusick.—There is a clerk of works in the treasurer's department principally in connexion with Com-mittee No. 1 in granting licenses for the opening of streets, setting offlags, &c. An extra clerk is required; and his services being principally in connexion with the improvement fund, we pay the charge out of that fund.

1363. What is this recap out of the waterworks

fund, £378 8s. 2d., to Mr. Coal?—For a number of years the Waterworks Committee had been paying Coal. He was a stockkeeper. The Improvement Fund Committee had not been paying any of it, and then they recouped to the Waterworks Committee this £378 8s. 2d., which ought to have been paid for a number of years.

1364. Then, to go to the salaries, how much of Mr. Coal's salary is properly chargeable to the improve-ment fund?

Mr. O'Donnell.—Now, he is supervisor, and the Improvement Fund Committee pay him for that 10s. a week, and the Waterworks Committee another 10s.

1365. What was his salary before he was super-visor?—£106 a year, paid weekly.

The inquiry was then adjourned to the following morning.

Declar-
April 22, 1877.
Mr. Bevington.

APRIL 23, 1877.

April 23, 1877.

(Before Mr. CORRIE (Chairman), and Mr. ENHAM, q.c.)

Mr. O'DONNELL'S examination resumed.

Mr. O'Donnell.

1366. CHAIRMAN.—We left off yesterday at the salaries, the amount of these being £2,365 14s. 8d. The next thing we came to following the order in the improvement account is "the compensation committee." There are apparently pensions?—Yes.

1367. I see you paid last year £859 5s. 9d. under the section of the Act referred to yesterday, to officers under the old wide street board?—Yes; under the 21st section of the 12th and 13th of Victoria, cap. 97.

1368. Yes, the Act of 1849?—Yes. I made a rough estimate of the compensation that was payable when the Act took effect.

1369. Did you pay last year £859 5s. 9d. to officers pursuant to the provisions of that Act?—Yes.

1370. Did you pay £409 17s. 5d. to other officers of the Corporation under the special Act?—Yes.

1371. What was that Act?—It was the 32nd and 33rd Vic., cap. 79. The Local Officers' Superannuation Act (Ireland), 1869.

1372. Have you got that Act here?—I have not a copy of it. It would be in the town clerk's office.

1373. Was it a local Act or a public Act?—It was a local Act, I think, brought in by the late Sir John Gray.

Mr. O'Donnell.—It is a public Act and refers to all municipal bodies in Ireland. It was introduced by Sir John Gray.

1374. CHAIRMAN (to Mr. O'Donnell).—Does that Act empower you to pension old officers of the Corporation?—Yes; but they can only get under that Act two-thirds of the salary they were in receipt of at the time the compensation or superannuation was given. Under the provisions of the Dublin Improvement Act officers of the Corporation could receive the full amount of salary that they were in receipt of being superannuated.

1375. That Act—the Act of 1849—says an "ade-quate" compensation?—Yes; it leaves it open.

1376. It does not limit to the two-thirds?—No; there is no limit under that Act, but the 32nd and 33rd of Vic. limits it to two-thirds.

1377. At the time the Act of 1849 came into opera-tion, what was the amount chargeable to the improve-ment fund under the 12th section?—The amount chargeable to the improvement fund was £3,532 5s.

1378. For pensions?—For superannuations. We have a registry of the annuities that were granted. You can see that if you like.

1379. Is the amount now reduced to £859 5s. 9d.?—Yes. It is still lower than that now, because since 1875 some of these officers died off.

1380. Yes; but on the other hand were not one or two put on?—Yes; but one of those who were put on have died off since.

1381. Who was that?—Mr. Connolly, my prode-cessor.

1382. We heard yesterday that Doyle and Clarke

were put on?—If you look to the general minute of compensation you will find the annuities charged there, but there are other annuities charged on different funds. The amount payable in 1877 for annuities under the Wide Street Commissioners, I see, is £396 3s. 1d. as against £2,532 5s. in 1852.

1323. The amount payable to former officers of the Corporation was £490 17s. 5d. What is the amount paid now?—£351 16s. 6d. chargeable on the im-provement fund.

1334. And is that in respect of three officers?—Mr. Costigan, ex-treasurer, who gets £122 16s. 4d. Mr. Reynolds, ex-secretary to No. 1 Committee, who gets £104—and Coal, stockkeeper, who gets £25, charge-able on the improvement fund, and who also gets another £25 on the waterworks?—Yes.

1325. Is it not the case also that only a certain pro-portion of Mr. Costigan's annuity is chargeable to the improvement fund?—Yes, because the Act under which Mr. Costigan and Mr. Coal are superannuated states that the compensations are to be charged on the fund that their salaries were paid out of.

1326. This would be a good opportunity to introduce a table handed to me by Mr. McEvoy, which shows what was paid to superannuated officers from 1869 down to the present time. Can you tell whether these figures are correct?—If I looked at the books I could. There are a good many masters of account that I never went back upon, but the books will tell.

1327. Mr. McEvoy makes out by this list that the amount payable to retired officers in 1862 and 1863 was £3,237 1s. 5d.—The amount charged in the ledger as compensation to retired officers under the 12th and 13th Vic., cap. 97, was £3,797.

1328. But Mr. McEvoy gives it at £3,237 1s. 5d.—There is a transfer from the salaries, paid to D. H. Sher-wood, amounting to £440 15s. 4d., and I take it that was compensation that was charged in the salaries account, and should be charged in the compensation account. That would make Mr. McEvoy right—£3,237.

1329. For 1868 and 1864 Mr. McEvoy makes it £3,681 1s.—That is for the year ended August, 1865.

1330. And for the year ended August, 1864, he makes it £3,237 1s.—That ought to be £5,205 16s. 8d.

1331. What is it for the year 1864?—The figure here is £3,008 19s. 10d.

1332. Mr. McEvoy makes it £3,008 19s. 10d.—Well, that is right. Then for 1867 it is £3,092 10s. 4d., and for 1868 £3,150 12s., then for 1869 £3,554 4s. 6d., and for 1870 £3,668 7s. 10d., but there is a sum of £33 5s. 2d. to the credit of the compensation account, being a recoupment of a quarter's compensation charged on the 29th October, 1869, to A. McMillan, deceased. That leaves £2,493 2s. 8d. as the amount charged against compensation for the year ended August, 1870.

1333. What was it in 1871?—£1,879 14s. 8d.

Witness.
April 22, 1872.
Mr. O'Donnell.

1234. In 1872?—The amount charged is £1,539 12s. 6d. And was it £1,759 in 1873?—Yes.

1235. And in 1874 Mr. McEvoy has it at £1,713?—That is a difference here. In 1874 the amount chargeable against the improvement fund under the 12th and 13th Vis. was £1,539 12s. 6d., and he must have added on to that the others under the 32nd and 33rd Vis. under the head of compensation.

1237. Did the special Act then come into operation for the first time?—Yes.

1238. And then what did the pensions amount to?—Mr. McEvoy makes it £1,713?—The amount was £1,539 12s. 6d. under the old, and the proportion of the general account under the new Act £153 6s., making together £1,712 18s. 6d.

1239. What was the amount in 1875?—£1,509 7s. 3d. —£1,165 1s. 4d. under one, and £304 5s. 10d. under the other Act.

1240. And are the pensions reduced now from £3,081 in 1864-65—which was the highest amount—to £1,505, last year?—Yes.

1241. And is there a further reduction this year?—There is. The amounts in 1870 were £1,160 2s. 3d., and £306 6s. 8d.

1242. That would make £1,373 15s. 10d.; that is not a reduction?—That is for 1870, but in 1871 there is a reduction.

1243. In 1871 it was £796 3s. 1d. under the old Act, and £251 under the new, making £1,047 3s. 1d.?—Yes, it may be less before the close of the year, being subject to reduction in case of the death of any of the annuitants.

1244. The next item I find in the accounts is for law and Parliamentary expenses—£244 6s. 2d.?—Yes.

1245. Of that sum was not £153 10s. a cost incurred in opposing the Alliance Gas Company's Bill in 1874, and in respect of which opposition Mr. Finlay says £500 ought to be brought to the credit of the improvement fund?—Yes.

1246. Will you give me your explanation as far as you can why that £500 was not brought to the credit of the improvement fund?—I have no explanation to offer. It does not come within my special duty.

1247. Who is the person who is most likely to give that information?—Either the secretary of No. 1 Committee or the town clerk, or some of the members of the committee.

1248. You are simply the accountant?—Just so. If it came into the account I would take notice of it.

1249. The next item I find in the accounts is with regard to the markets. It is, totting all together,—Southfield, St. Sepulchre's, Butler, Crane, and City weigh-houses, and the weights and measures department—an amount of £726 3s. 6d. charged to the improvement fund?—Yes, that is right.

1250. Of which £597 8s. 8d. is in respect of Southfield and the hay and straw market?—Yes.

1251. Then for printing, stationery, and advertising there is £348 4s. 4d., and that is charged to the improvement fund?—Yes, that is it.

1252. Then there are rent and taxes on premises held by the late Wide Street Commissioners?—Yes; we receive rent from this. There are rents we have to pay for some of these houses we took over, and from which we receive rents.

1253. Head-rents, less rates and taxes you have to pay?—Yes.

1254. And did these with some rates you pay on St. Mary's place amount to £135 1s. 10d.?—Yes.

1255. Then I come to a heavy expenditure—gas, lighting the public lamps, including wages of lamp-lighter, £5,970 15s. 6d.?—That does not represent the actual expense, because you may perceive the payment is only on account.

1256. I am aware; for on looking at Mr. Beveridge's account it comes to a larger sum for the whole year?—Yes; Mr. Beveridge will be able to give you the information.

1257. At the last audit, had £5,970 15s. 6d. been paid on account of lighting?—Yes.

1258. But did the actual cost for the year, according to the balance sheet of No. 1 Committee, come to £5,867 15s. 7d.?—Yes, that would be for the year ending 31st December.

1259. Can you only speak as to the actual money paid?—That is all.

1260. Mr. Finlay, in one of his reports, throws out a suggestion which I think is a very good one, although of course, it would require an Act of Parliament to carry it out, but the Corporation could easily get a clause inserted in some of the Acts they go for. The suggestion is that the accounts should be audited up to the 31st December each year, so they would then show the real financial state of affairs much better than under the present system?—I was about to suggest that you should take notice of that. If it was only for the sake of comparison, it would be a great convenience to my department as well as to Committee No. 1.

1261. May I take it that that suggestion is concurred in by you and Mr. Beveridge?—Certainly. I think it was. I myself suggested to Mr. Finlay that it would be an enormous advantage to the department to end the accounts then; and a clause might be inserted now, I should think, in the Collector-General of Rates Act.

1262. To return now to where we left off. The cost of public lighting for the year you say was £5,867 15s. 7d.?—Yes.

1263. Besides wages to the lamp-lighters?—Yes.

1264. How do you pay? Is it per 1,000 cubic feet, or by the lamp?—For 1,000 cubic feet, charged by meter.

1265. Mr. Beveridge.—The cost per lamp would be about £2 11s. 5d. per annum—that being much cheaper than under the Paving Board, who were always held up as models of economy.

1266. CHAIRMAN (to Mr. Beveridge).—That is lower than other towns, but the question is, how much light you get for it. What are you now paying per 1,000 cubic feet?—4s. 6d.

1267. What did you pay in the years I have before me?—3s. 11d. per 1,000.

1268. When you paid 3s. 11d. what was the Alliance Gas Company charging to the public?—It varied from 5s. 6d. down to 4s. 6d.

1269. Mr. McEvoy.—Was it not reduced?—It was reduced last July to 5s.

1270. CHAIRMAN.—And the year you were paying 3s. 11d. for it under the old contract the public were charged very much more for it?—Yes.

1271. Are you now paying, from the 1st of January this year, 4s. 6d. per 1,000 cubic feet?—Yes.

1272. And what are the public paying?—The same, 4s. 6d.

1273. Is it to be a uniform charge, then?—Yes. The Corporation could have made better terms for themselves, but in order to procure a decrease in the charge to the public, they agreed themselves to pay a higher rate. The gas company, with the view of preventing any opposition being started, reduced the price in advance at the time.

1274. They were entitled to charge a maximum rate not exceeding 4s. 6d., and then on the 1st of July it was to be lowered to 5s. Therefore on the 1st of July they would be obliged to reduce it, but before that time came it seems they reduced it to a still lower figure?—They did, in January.

1275. And are you now working under the new contract?—Yes.

1276. Now come to the question of what it is per lamp. How long are the lamps lighted?—There is a schedule attached to the contract, and as far as possible we observe that.

1277. What is the number of lamps in the city that are lighted?—3,470 per quarter.

1278. That the Corporation light?—Yes.

1279. And are these lamps lit during some portion

of the year for a longer time than at others?—Yes; in the event of the company lighting the lamps, they were obliged to adhere to that part of the specification, but the Corporation keep a registry of the time. Every Sunday there is submitted to the committee a return of the hours at which the lights were commenced to be extinguished, what hour the work was completed at, what hour they commenced to be lighted at, and at what hour the lighting was completed at. It varies every day.

1280. Then the citizens have no certainty as to how long the lamps will be lighted?—There never was but one complaint since I came here as to the lighting of the lamps.

1281. But, as a matter of fact, no one knows at what hour they will be extinguished?—No. It varies according to the season of the year.

1282. But you say it varies every week also?—Indeed.

1283. Mr. EYRE.—Is there a meter to every lamp? Mr. O'Donnell.—There is a meter to every tenth lamp.

1284. CHAIRMAN.—I see the latest hour at which you extinguish in the morning is 7.10 for the month of December?

Mr. Newell (city engineer).—That is quite right.

1285. And is the longest time they are lit from a quarter past four in the evening till 7.10 in December, and in June are they lit at a quarter to ten, and ex-

tinguished at ten minutes before two the following morning?—Yes.

1286. That is taking the longest and shortest periods of the year?—Yes.

1287. Mr. Newell.—In April the return shows that the lamps were commenced to be lighted at half-past six o'clock, and were finished at 7.35. That was an hour and a half it took in going round the city. The return also shows they commenced to be extinguished at a quarter past four o'clock. Here is another book that is laid before the Committee, which shows the testing taken every week. I find in some instances the illuminating power of the gas to be stated as twelve over sixteen candle gas, sometimes fourteen; and during the whole time I have been here the test was never under the sixteen-candle test. Not only is the average over it, but every individual test is over it, and it has been as high as 17.21.

1288. Mr. EYRE.—Didn't the Corporation want to do something else in order to decrease the expense?—They did. They wanted to extinguish the lights in the morning earlier, by which means the Committee calculate they will save £500 a year.

1289. But didn't they want to do something else?—They did. To further economise, they wanted to reduce the consumption of gas to three and a half instead of four feet per hour, by which they would save £1,500 a year, but the gas company would not allow that.

Mr. JOHN BYRNE, &c., re-examined.

Mr. J. Byrne.

1290. Witness.—I want to ask you resolve at this inquiry any evidence upon the defective nature of the borough franchise?

1291. CHAIRMAN.—No; that is expressly excluded; that is what the Select Committee are taking evidence upon.

1292. Mr. BYRNE.—I will give you evidence, if you

take it, and show it is highly unsatisfactory, and works very badly.

1293. CHAIRMAN.—In Dublin our inquiry is limited to four special points, and we are, I am happy to say, on the last of them now.

1294. Mr. BYRNE.—I would wish it to appear on your notes that I tendered the evidence.

to

to

Mr. O'Donnell.

Mr. O'Donnell's examination resumed.

1295. CHAIRMAN.—The next item on the account is for domestic scavenging, £346 13s. 6d., charged to the improvement fund, and you get back part of that on the other side of the account?—Yes. In the first instance there was lodged £338 8s. 10d., which was paid, and £310 9s. 1d. remained to go against the expenditure that was incurred. We got back altogether £338 and £310.

1296. Does that form portion of the item Mr. Finlay alluded to in his report?—Yes. We paid £338 8s. 10d. on account of these demands, and we also expended a sum of £346 13s. 6d. You will find there is an amount of £144 1s. transferred from the house account against the domestic scavenging account by the account furnished for August 31st, 1875.

1297. Why does it appear in two separate items?—Because £338 8s. 10d. is the sum included in repayment *contra* for domestic scavenging.

1298. The result of that is this is—that you charge the improvement fund £346 13s. 6d., and you only benefit the improvement fund by £310. £338 was you mean, received on deposit, and is returned as deposited; and that leaves £310 to the credit of the improvement fund, against £346 which is the expenditure?—Yes; but taking one year with another the charges as nearly as possible follow each other.

1299. Of course, I can understand you say have a little more to come in in one year than another; but on an average of years, do the repayments balance the outgoings?—They do. I think it was Councillor Byrne who was principally instrumental in introducing this system.

1300. The charge of £3 9s. for advertising in respect of loan, will be defrayed out of that £20,000 I suppose?—Yes; that is the first charge against that loan.

1301. Then the proportion of the expenses of the City Hall charged to the improvement fund was, I find, £394 4s. 1s.—Yes.

1302. Have the particulars of that all been audited?—Yes.

1303. Then £32 11s. 6d. in the Local Government Board's proportion of the audit fee?—Yes; that was the proportion chargeable to the improvement fund.

1304. £1,144 12s. 7d. is the amount of repayments on account of deposits for licences, and for domestic scavenging, &c., by private parties. Was not that £338 8s. 10d., to which we have before referred as lodged for the latter purpose, included in those deposits?—Yes.

1305. The last item of expenditure not yet noticed is the sum of £273 17s. 1d. for widening and improving the streets?—That was a matter connected with portion of the money borrowed under the loan.

1306. Was not £436 8s. 3d. of this paid in respect of work and improvements on the streets; and £207 8s. 11d. for two instalments and interest upon the loan with respect to the College railings?—Yes.

1307. What we have now gone through brings the total expenditure, including balance as starting, to £64,313 8s. 6d., leaving a balance of £488 7s. 6d. against the improvement fund?—Yes.

1308. Mr. BYRNE.—But in relation to the College railings fund, I may say that the entire of that did not come on the public funds, for we got a donation from the College, a donation from the College library, and other sources; and as a matter of fact we only paid a residue.

1309. CHAIRMAN (to Witness).—I would just like to compare the total receipts and the total expenditure of the improvement fund for the year subsequent to this, with the audit we have just been going through. You began, of course, the next year with a balance of £483 1s. 5d. against the improvement fund; and you left off, I believe, with a balance of £8,695 5s. 11d. to credit?

Witness.—Yes; but that represents a certain portion of the money we borrowed.

1310. Practically the first instalment of the £20,000 loan account, I see, came into this year's receipts. What were the total receipts, exclusive of that £20,000, for the year?—£62,600 in round figures.

DEBATES.
April 16, 1875.
Mr. O'Donnell.

1311. Well, that is about £1,000 less than they were in the year we have been going through, exclusive of the loss. What were the receipts from rates?—£25,019 3s. 11d.

1312. That was £2,100 more than the receipts from rates in the year we have been going through?—Yes; but we explained that yesterday by stating that there is included in that the Government subsidy for the first time.

1313. Is not the total amount which has been received on the improvement rate from 1850 up to 31st April, 1875, £1,290,548 1s. 6d.?—Yes.

1314. The 24th section of the Dublin Improvement Act authorized you to borrow £100,000. Of that £100,000, up to the present, I understand, you have received £48,550, and you have an agreement for £50,000 more?—Yes.

1315. Was not the first money you borrowed the £17,550 for the cattle market?—Yes.

1316. Did you not afterwards borrow more than that for the cattle market?—Altogether we borrowed £24,550 for the cattle market.

1317. At what rate of interest did you borrow the money for the cattle market?—At six per cent.

1318. Could you not obtain the money from the Hibernian Bank or elsewhere at less than six per cent.?—The money was borrowed altogether on the security of the improvement rate. The interest is only payable on some of these mortgages on the profits of the market.

1319. But why cannot you get a loan for the whole amount?

Mr. Byrne.—There is a risk, because if the cattle market does not pay they have not the power to borrow. The cattle market was got up by the salesmen lending the money to the Corporation and taking the Corporation bonds, with the understanding that if the profits paid six per cent. they were to get six per cent., and they lent the money for fifty years upon that condition. Smithfield market is still a free market to all owners, and it is considered advisable that the interest of the persons who originally lent the money should be retained in the Dublin cattle market. If we borrowed it at a low rate they would have no interest in the market, and the market might be left on our hands, saddled with the payment of taxes, &c.; and in order to prevent the market being a failure, we thought the original parties should be allowed to stick to their bargains and make it a paying concern.

1320. But surely the market now yields a very considerable profit?

Mr. Byrne.—But there is Smithfield to which all the profit might revert, leaving us the Dublin cattle market on our hands; and a dread of that induced us to make this arrangement rather than run that risk.

Witness.—The Corporation have reserved to themselves the right to call in these bonds at any time they wish; whereas, the holders of the bonds must be content to keep them for fifty years from the date of issue.

1321. Oh, of course, it is a one-sided bargain in that respect. But the reason given by Mr. Byrne—a desire to induce those people to send their cattle to the market—does not exist with respect to the last loan of £5,500. Why did you borrow that at this rate from the Hibernian Bank?

Mr. Byrne.—I do not think it was economy.

1322. Nor do I think it was economy either. (To witness.)—Then you borrowed for the improvement of College-green and the College buildings, £2,000. At what rate did you borrow that?—At 6 per cent., repayable by half-yearly instalments of £160. Up to the present we have paid off £1,300, and all interest due.

1323. Then you borrowed from the National Bank £2,000 to buy horses?—And that is all paid off.

1324. What right had you to borrow that money?—It was for the purposes of the Act.

Mr. Byrne.—We had always been in the habit of setting the sweeping of the streets by contract, and the repairs and maintenance of the plant by contract, and we found the plant was not kept in order, nor the

streets swept to our satisfaction, and very great shortcomings in those particulars—although payment was demanded to the day. At the close of the contract we found the conditions were very complicated, and, in fact, that we were not getting value for the money we were paying; that we had not sufficient control over this matter; and a sub-committee of three, of which I was a member, was appointed, and we came to the conclusion that by taking the horses and the sweeping into our own hands we could do the work more efficiently—because the contractor's horses were old and decrepit, and we found that by getting a superior description of horses, plant, and materials, we could do it better.

1325. Then, I suppose, because you could not afford to buy the horses out of your income, you borrowed the money from the bank?

Mr. Byrne.—Yes. We showed that in ten months the saving in our mode of doing the work paid for the horses.

1326. CHAIRMAN (to witness).—In what instalment did you pay back the £1,000?—The amount was advanced on the 28th of August, 1871; the first payment on account was on the 28th of March, 1873—£500; the second payment was for the 30th July, 1873—£500; the third payment was on the 1st September, 1873—£500; and the fourth payment was on the 31st February, 1874—£500.

Mr. Byrne.—You see the saving was effected in a little more than eighteen months, but in twelve months we paid off the whole loan.

Witness.—We paid it off in twelve months, but it was borrowed a year and a half.

1327. Then you borrowed another £20,000 in November, 1875, was not that the first instalment of the £30,000?—Yes.

1328. Did you enter into an agreement to borrow £80,000 from the Law Life Assurance Society?—Yes, the £80,000 already mentioned being the first instalment of that; and we paid off the first instalment of that £30,000 on the 15th of December last.

1329. Is that £30,000 all expended?—There was, I think, up to the 31st of August, 1876, close to £19,000 expended.

1330. What was that £30,000 specially taken out for?

Mr. Byrne.—For new paving works.

1331. What are the terms on which you are to get the loan of this £30,000 from the Law Life Assurance Company?

Mr. Bessborough.—That was got on for and a half per cent. interest.

1332. Is there any agreement for the extinguishing of that?—Yes, by £1,000 a year.

Mr. Bessborough.—And the first instalment has been paid, and the interest has been paid as it fell due.

1333. Irrespective of this £20,000 you had borrowed, has anything been paid off, or has a sinking fund been formed with regard to this £24,550 borrowed for the cattle market?

Mr. Byrne.—No; but the cattle market is a speculation which shows a surplus every year, and instead of paying off that they have created new works, they have increased the market accommodation, they have paid all the expenses of the management, and instead of paying over the surplus to the improvement fund, they have spent this money on the improvement of the market.

1334. But under the Act of Parliament you are bound to form a sinking fund?—We are; but having got such favourable terms from the lenders, by their extending the repayment over fifty years instead of twenty, we think there is time enough to begin.

Witness.—Mr. Poley makes a mistake; he says "one twentieth part of the improvement fund" should be set aside, instead of one-twentieth part of the money borrowed.

1335. CHAIRMAN.—He quoted the Act.

Mr. Byrne.—The Act says so, but we took the opinion of counsel, and counsel advised us that the meaning of the Act is the twentieth of the loan.

1332. CHAIRMAN.—I see by the cattle market reports that you have expended 227,523 0s. 11d. on the works of the market chargeable to capital account?—*Witness*.—Yes.

1337. The remaining £30,000 of the £50,000 loan you are not required to take up until you want it?—*We* are not, and we may not take up the entire.

1338. Is it not a fact that you have got some Lloyd's bonds outstanding besides these loans we have heard of?—*Yes*. There were issued altogether 25,320 lls. 4s., and 2425 lls. have been paid off in August, 1876. There were twelve bonds.

1339. But why have Lloyd's bonds for works within your borrowing power before you have exhausted those powers?

Mr. Byrne.—We are considerably within our borrowing power, but I think it would be advisable for you to get on your note the agreement with the Asphalte Company, because it is very favorable to us. I think it is right to show its advantages. It is for the amount of only 6d. per yard per annum on the entire.

1340. Have you got a contract with this Asphalte Company for more works of this kind to be done?

Mr. Byrne.—We have an agreement with them, that when like conditions arise in reference to the other streets, they will asphalt them. Those bonds are only issued for a moiety of the cost, and the inhabitants pay the other moiety; and in those instances where the asphalt has been laid down, the company have taken the security of the inhabitants for the other moiety. The interest is five per cent.

1341. Before we leave the subject of the debt, looking at this report of No. 1 Committee, made out up to the 31st of December, I see there were outstanding to sundry creditors on the improvement fund account, at the commencement of the year ending the 31st of December, 1875, debts amounting to £15,355, and at the end of that year, the amount was £15,990. What are these debts?

Mr. Beveridge.—These debts are to the Alliance Gas Company for supplying the gas, and to various

contractors for the supply of paving and macadamizing materials, &c.

1342. These debts I suppose do not include these Lloyd's bonds?—The latter sum, £15,990, includes three bonds (not ten debts), amounting to £1,875 (52s. each).

1343. I was glad to see by *Mr. Beveridge's* last account that in 1875 those large liabilities had been reduced.

Mr. Byrne.—Oh, yes; they are reducing every year since 1873.

Mr. Beveridge.—As a matter of fact, on the 31st of December, I do not believe there was any account presented that was not paid.

1344. Were those bills that had not been presented for payment?—They were debts arising in the year, but which had not come in.

1345. Out of that £15,990 due in 1875, were all those bills paid off in 1875; and assuming £13,500 to be outstanding at the end of 1876, would that be solely for bills arising within that year?—The public accountants, with whose direction we could not interfere in such a matter, had put in the three bonds issued to the Lamer Asphalte Paving Company, not one of which were due in that year, and which should have been put down as contingent liabilities of future years. With that exception everything else has been paid off.

Mr. Beveridge.—Against that liability of £15,990 there should be set the outstanding moneys of improvement rate, which had not been collected.

1346. Is not the sewerage rate independent of this £15,990, and levied at 4d. in the pound; and is there not a separate account for the two districts—the north and the south?—*Yes*, there are separate accounts, but this sum includes £2613 lls. 4s. chargeable to the sewers funds.

Witness.—One year it was three pence halfpenny.

Mr. Byrne.—We have not levied the entire fourpence in one year.

Mr. Beveridge.—In the year 1874 it was three pence halfpenny and in the year 1875 it was twopenny.

MR. PARKER NEVILLE EXAMINED.

Mr. Parker Neville.

1347. CHAIRMAN.—You are a civil engineer?—*Yes*.

1348. How long have you been engineer to the Corporation?—Since 1851. I became engineer immediately after the referenced Corporation came in, on the 1st January, 1851.

1349. You have charge, I suppose, of all the engineering works, and of the works done out of the improvement fund?—*Yes*.

1350. Tell me first with regard to the sewerage, is that under your supervision?—I generally advise the committee, but of course, the actual sewerage is by men for that purpose.

1351. On what principle is the sewerage of the city conducted?—The city is divided into six districts—three on the north side and three on the south. There is a ganger over each, and there is an overseer for the north side and one for the south, and they give a return every week with a pay-sheet, &c., to the committee that sit every week, called sub-committee No. 1, and they examine all the books up to that date.

1352. There are two overseers and six gangers?—*Yes*.

1353. What is the number of men employed? Do these tables for the years 1870, 1874, and 1875, in *Mr. Beveridge's* book give correctly the average returns of the men employed?—*Yes*. In 1870, we had 124 gangers and laborers, and ten depotemen and six overseers; the total cost per week being £74 lls. 3s. The laborers were receiving 10s. 2s. per week, and the overseers 30s. 10s.

1354. In 1874 you employed, I see, two inspectors, six overseers, sixty-one carters, 133 gangers and laborers, and twelve depotemen, at a cost of £217 lls. 4s. 4d. per week?—*Yes*.

1355. And in 1875 the cost was £181 lls. 7d. per week, being just £30 per week more. What are the

numbers at present employed?—136 altogether, namely, on the north side seventy-three, and on the south side sixty-three.

1356. Does that include depotemen and overseers?—*Yes*.

1357. Then you have not so many as in 1875?—It only includes laborers and gangers.

1358. Then may we take the cost at about £180 a week?—*Well*, I dare say.

1359. In 1875 you had a man or two less employed, and the cost was £180, so that we may take it roughly at £180 a week?—*Yes*.

1360. In your opinion is the number of gangers and overseers sufficient to superintend this work?—*Well*, I think they are.

1361. Would you say the work was done to your satisfaction?—*Well*, they have not horses enough, the distance the mud has to be carried is great, and they certainly have not money to do the sewerage. If you look at the evidence I gave before the committee last year, you will see I went fully into the question, and I am only repeating my evidence now.

1362. Is not 15s a week what you now pay the laborers?—*Yes*. That is 14s. a week, and a half-day's wages for working on Sunday morning.

1363. Is it the same rate of wages now as in 1870?—*Yes*. There has been no change, practically, since I gave my evidence before the committee.

1364. Isn't it a fact that quite recently, during the present winter, *Mr. Finlay* drew attention to the fact that there were seven men nominally employed at Whitehorse-yard at the rate of 7s. per week, and that on inquiry he found one of them was dead, and the remainder were never at work there?—That is a fact. The fact is, they were very old men; they had been from thirty to forty years in the employment of the

Dublin.
April 26, 1877.
Mr. Paine
Neill.

Corporation. The Committee had no power to pension them off, so they were set down nominally as being at work, but it was an understood thing that they were not working.

1365. Then, was their supposed employment there all moonshine, and was it perfectly well known they were not working?—Yes; one of them was blind.

1366. They seem to have confused one man's name after he was dead. How was that?—I cannot tell that.

1367. Who is the person who pays these people?—They are paid by the treasurer, but the ganger is bound to be present, and to see each man receive his pay, in order to be able to identify him.

1368. Mr. EXHALE.—The treasurer doesn't pay them with his own hand?—No, through his deputy.

1369. CHAIRMAN.—In his report for the year 1873 Mr. Finlay drew attention to the mode adopted by the Corporation in the payment of a large amount annually to mechanics, lamp-lighters, labourers, &c., residing, some in Dublin and some in county Wicklow, from whom no receipts could be or had been obtained, and so forth; and I gathered from his report that he advised the money should be paid through the treasurer's office, or through some office of that department; and, therefore, I presume, that previously they were not paid through that department. By whom were they paid?—There were some persons paid directly by the gangers, but since Mr. Finlay's report I believe they are all paid directly through the treasurer's office.

Mr. O'Donnell (city accountant).—What Mr. Finlay remarked upon was the system of paying the workmen of the waterworks through the engineers who had charge. He considered there should be a clerk in connection with the treasurer's office for that purpose. The lamp-lighters are now paid through the city treasurer's office direct.

Witness.—In consequence of Mr. Finlay's report all the workmen, except the firemen, are paid through the office. These men are paid by the chief of the Fire Brigade.

1370. CHAIRMAN.—Do you think that these men who never come to work at Whitehorse-yard, and the man who was dead, were paid by some person through the treasurer's office?—Yes. The payment to the dead man was through his wife, I suppose.

1371. I don't suppose the dead man came himself for the money?

Mr. O'Donnell.—The person who came was no relation at all.

1372. CHAIRMAN.—Well, I believe she represented herself to be the man's wife.

1373. Mr. EXHALE.—Suppose a man is sick, doesn't he get his wife to come for the money?—I dare say.

Mr. O'Donnell.—It was not the fault of the city treasurer, but of some overseer that that man was paid, because he would be paid on the certificate of the person in charge of the yard.

Witness.—There is a special report by Committee No. 1 on the subject.

1374. CHAIRMAN.—As to the general practice, do you mean that all these men are paid through the office by the ganger?—They are paid by an assistant from the treasurer's office in the Whitehorse-yard every Saturday.

1375. All the men?—Yes.

1376. I suppose there is a certificate from the overseer or the ganger?—He is present to identify the men and to see that they were at work. There is a report sent in shewing that so and so worked a whole day, or half a day, or the case might be.

1377. He clearly could not have identified this man on 24 work?—No; but perhaps you will refer to the special report from No. 1 Committee respecting the payment of the workmen. (See Appendix 15, page 384.)

1378. We have heard you had a contract with the asphalt company for repaving. Now, with regard to the macadamizing, and flagging, and paving, is that done by contract?—We have a contract for the material, which is dropped by the contractor on the streets, and the Corporation men spread it.

1379. You are trying to reduce the quantity of macadamizing in Dublin, are you not?—Yes, and to increase the paving, and with that view there is a special Council order. We have received great assistance from the tramway companies. There are at present eight miles seven furlongs of paving laid down by the tramway companies in the city. They paved the centres at their own expense, and I have on order of Council to complete the paving of the streets, the centres of which have already been paved by the tramway companies, so as to finish the spaces between the tramway and the footpaths. The North Dublin Tramway Company are just finishing up their line. They have made three miles five and three quarter furlongs; and then there is a contract advertised for the laying of a tramway from the back of the Grafton states to Inchicore.

1380. Mr. EXHALE.—Could you manage to have the tramway companies' paving and the Corporation paving done at the same time, for one day I see the tramway men putting down stones, and the next day I find the Corporation men adding a bit alongside what the others have done?—You will find before the end of the year there will be a great improvement in the mode of macadamizing the streets.

1381. CHAIRMAN.—Are you paving altogether with Welsh paving sets?—Yes.

1382. Is not that the best description you can get?—Yes.

1383. In 1874 you expended, I see, £5,337 12s. in materials for the half year ending midsummer, 1874, and the tramway contractors appear to have expended only £433 13s. on the roadways. I suppose they were only beginning then?—Yes.

1384. What did the paving cost in 1874?—"Materials for general paving works, including presentment works, £1,100 3s. 4d., but for the works commenced under the loan of £30,000, the materials cost £14,357 3s. 7d."

1385. In 1875, you mean, you had materials on what you call the general paving account to the extent of £4,110, and on the special account you purchased £13,400 worth in addition?—Yes.

1386. You are spending then, a much larger sum now on paving than you did, and you are, I suppose, fastidious of generally anti-ventilating paving for macadamizing?

Mr. Essex.—The engineer last year after your report advising the putting down of these square sets.

Witness.—No matter what price you pay in Dublin you cannot get a first class macadamizing stone.

1387. Is not that one of the reasons why you have such a small return for the sale of manure from the streets—because the streets are generally macadamized?—Yes. The depths are all full. It has been advertised, and we are actually glad to give it for nothing, but they won't take it.

1388. In Belfast look what a contract! There £2,479 3s. was made in one year by the manure taken from the streets.

1389. Mr. Essex.—In Dublin the operation of the Public Health Act requires manure heaps to be cleared out rapidly, and the result is that people are obliged to sell the manure at a much cheaper rate.

1390. Can you tell me what amount has been laid out by the tramway companies in paving since they started in Dublin?—I cannot.

1391. Are they still extending their operations?—Yes, and they are advertising at present for contracts for a line to Inchicore three miles in length.

1392. Have you a resolution on your books that where the streets are paved by the tramway company they are to be completed by the Corporation?—No; but the Corporation have authorized me this year to do a great number of streets that have tramways through them—the quays, &c.

1393. Whenever the tramways are will you complete the paving?—Oh, yes, it will be done, but there is no resolution on the subject.

1394. What saving do you calculate you could effect if the streets were all paved instead of macadamized?—It would be very large. Of course there are

certain streets we would never think of paving, such as the squares and some of the suburbs, where there is little traffic.

1395. This £30,000 of the £50,000 loan is to be appropriated, is it not, to the paving?—Yes. We lay stone from the quarry. They are hauled at the quay for 25s. a ton. We formerly got them for 14s. We have to draw them, and to prepare the ground to lay them.

1396. Is there much flagging still required to be done in Dublin?—A great deal of flagging requires repairing on the present footways. With regard to the footpaths that are not flagged they are done with Linmer asphalt or tar. Any new footpath work is done in asphalt, for we are not putting down any new flags. The cost of the asphalt is 6s. 6d. a yard, and of the paving 6s. 6d. a yard. The durability of the Linmer asphalt is, I believe, quite equal to the flagging. In Liverpool, London, Manchester, and elsewhere I know they have depôts for measure, and they can clear them out much quicker than we can.

1397. Mr. EXAM.—Would it not be cheaper to take out the stuff in one of the Port and Docks Board lighters?

Mr. SPENCER, R.C.—That would be a very expensive process, it would never work.

1398. If you had the streets paved there would be a better class of measure and there would be less stuff to be removed?—Yes.

Mr. JOHN BEVINGTON re-examined.

1400. CHAIRMAN.—Are you the secretary of No. 1 Committee?—Yes.

1401. How long have you held that office?—Since May, 1875.

1402. Would these figures in the accounts for the year ending August, 1875, represent about the average cost of scavenging and manure-dumping—£13,000 for manure-dumping and £3,000 for scavenging?—£3,000 would not do the scavenging at all. The scavenging and watering of the city costs about £13,000 a year.

1403. How is it that in the year 1875 it was only £8,099?—There are many to be added to that. It was never less than £13,000 a year.

1404. Can you give me the cost for the last six years?—Yes; in 1871 it was £13,071.

1405. Do these figures include the cost of horses and everything?—Yes. In 1872 it was £15,130; in 1873, £16,314; in 1874, £16,240; in 1875, £14,385; and in 1876, £13,045. The committee took the scavenging into their own hand, and built more stables, and made a great outlay on carts, &c. &c.

1406. There is a great falling off in the cost last year?—Yes.

1407. Was it in 1873 and 1874 you made that outlay on carts, &c.?—I can give you the particulars of it. In the year 1876 the committee made an order reducing the scavenging staff by twenty per cent., and the result or effect of it was that, although there was a saving of £500 on that alone, very little inconvenience was caused by the reduction.

1408. The reason why the scavenging is down here at £8,100 then would seem to be because the cost of the horses employed at the work is not included. I see that the whole expenses connected with the horses for that year amounted to £3,100?—Yes; that is where the difference arises. Of course the horses are only partly employed at the scavenging, and the cost of their keeping, &c., is distributed. If a horse, for instance, is away from the scavenging for one day, we keep an account of that one day. I may say that the committee in 1875 and 1876 effected a saving on the proportion of the horses amount of £750.

1409. A good deal of that sum for horses was charged to other accounts—to the sewers for instance?—Yes.

1410. How, if it is said that you have not horses enough to do the scavenging work, can you spare some of them from it for other work?—It is in certain

1399. Have you calculated what would be the cost of having a steamer to take out the stuff into the bay?—I made a report on the subject.

1400. Do you think you could afford that?—No. I stated before that the fund was not sufficient to keep the streets properly.

1401. CHAIRMAN.—Abbey-street is, I believe, well-known?—Yes, except the part called Old Abbey-street; that is paved with new stones.

1402. You have had no snow here, yet I never saw greater sludge in the worst streets of London in snowy weather than I saw in Abbey-street this winter. The mud was, I should say, eighteen inches deep along part of that street, and my car went nearly up to its axle in it on more than one occasion?—In London, Liverpool, or Manchester such streets would be scavenged regularly every day, but here we cannot do it more than once a week.

1403. Do you put it all down, then, to want of funds?—Yes. The fact is, the Corporation have not the same fund at present to do an extended area of streets that the Paving Commissioners had. The cost has, moreover, nearly doubled for everything. For instance, waggoners 8s. 6d. then and 14s. now.

1404. I suppose you will be able to swallow up the whole of the remainder of the loan?—Oh, yes.

1405. Mr. SPENCER.—Will Abbey-street be paved?—Oh, yes, in the course of time.

sewers. The amount brought in aid of the improvement fund in 1876 from the sewers fund for horses and labour was £748.

1411. Did not the scavenging and watering, including the proportion of horses and carts, cost £13,248 in 1876?—Yes.

1412. I am quoting from your distributive statement for that year, by which I see that out of that sum you got £303 returned, leaving the net cost £13,045?—Yes.

1413. Manure-dumping, by the same statement, I see cost £12,893; general paving, £0,844, and special paving works under the loan, £11,863; asphalt paving, £2,318, of which you got £750 from some inhabitants, leaving the net cost £1,568?—Yes.

1414. Footways, flagging, and asphalt came to £9,415?—Yes.

1415. Public lighting came to £9,355?—Yes.

1416. That is a good deal more than it was for the year before?—It is.

1417. How does it come to be so much in excess of it in the year before it was only £8,807?—Yes.

1418. Were you not paying the same rate—3s. 11d. 1?—We were.

1419. And the rent of lamps is—4s. 6d. and 2d. 4 of what it amounted to the year before?—Yes.

1420. And the lamp-lighters' wages came to only about £50 more?—Yes; the increase in that item is owing chiefly to the fact that an additional work fell in that year, and there was also some additional expenses connected with the re-verification of standard gas measures. We had to bring persons from London to do it. It will also be perceived that the salary of the gas inspector is, for the first time, properly charged to this account, instead of being charged in the general account of salaries.

1421. Did not Mr. Finlay draw attention some time ago to the fact that £350 paid to Mr. Cotton, the late inspector of lighting, had been charged as a payment to him in advance of his salary, whereas it really turned out to have been given to him for assisting in the promotion of the obnoxious bill to purchase the Alliance Gas Company?—I believe the auditor commented on it.

1422. Were you then in the service of the Corporation?—No, I was not.

1423. Can you give me any explanation of the matter?—No, I cannot.

DEPOSE
As witness, 1876,
—
Mr. Parker
Beverton.

Mr. John
Beverton.

Deceased.
April 26, 1872.
Mr. John
Dewdney.

Mr. Byrne.—The money was repaid.
1430. CHAIRMAN.—Mr. Finlay did not, I believe, discharge the amount, because some of it was repaid before the audit, and £100 was repaid on his drawing attention to the matter; but it was an improper entry in the accounts; it was entered as an advance of salary to Mr. Cotton?

Mr. Byrne.—And so it was. Mr. Cotton had a salary of £500 a year.

1431. What is the salary of the gas inspector?

Witness.—It is very low now. He gets £130 as inspector of lighting, and £150 as taker of meters.

Mr. Byrne.—Mr. Cotton had a good deal more than the present man.

1432. CHAIRMAN (to Mr. Byrne).—Did not Mr. Finlay ascertain that that £250 was really given to him for promoting the bill?—Mr. Cotton having a huge salary, asked for an advance of £250 to be repaid, and they gave it to him.

1433. Do you mean it was not given as an addition to his salary?—No; it was not. It was merely a loan given to him, to be repaid, and as a matter of fact it was repaid.

1434. Mr. J. Byrne.—I believe that as a matter of fact Mr. Cotton drew the money just as he was going to London about the bill?

Mr. Byrne.—I do not know anything about that. I do not know what Mr. Cotton did with the money, but if he did apply it in the way alleged it would have been in the interests of the Corporation.

1435. CHAIRMAN.—Mr. Finlay's report gave me the impression that this was an advance of £250 to Mr. Cotton with reference to the costs incurred by this bill, and got down under a wrong heading by whoever was instructed by the committee to make out this account?—Apparently this was so; however you have seen it was repaid.

1436. The fact remains, however, that Mr. Finlay stated he should have disallowed it if part of it had not been lodged previous to the audit and the remainder on his drawing attention to it?

Mr. Byrne.—That shows that Mr. Finlay did not make a proper inquiry into the matter. I think it would be a proper thing to say that the Corporation were not right in lending money to their officers, but he over-estimated it I think in saying what he did.

1437. CHAIRMAN.—I see, however, he said it was charged as an advance of salary—not as an addition to salary—and therefore to that extent it is my mistake?—Yes; it was merely a loan.

1438. Mr. J. Byrne.—I am in the book another officer getting an advance. Mr. Finlay put a stop to that system I think; they were in the habit of doing it.

1439. CHAIRMAN (to Mr. Byrne).—In the same year was there an advance given to Mr. Doyle of £35?—It was also repaid.

1440. Are you in the habit of making such advances—you are on the committee I think?—Yes; I am on the committee—there are very few of such cases.

1441. Are there any other cases besides those of Mr. Cotton and Mr. Doyle, that you are aware of?—I cannot say; there may have been one or two, but they must have been very few. The circumstances under which we lent that other one were this:—Mr. Doyle had been an officer of ours for a very great number of years; he became severely for some one or other, and was obliged to pay the money. He required it very much, and he got it. Very few such advances are made, and they are never made except under very peculiar circumstances.

1442. To Mr. Bewley.—I went into the matter of the payments to these men at Whitehorse-yard with Mr. Neville. There is, he told me, a printed report on that subject—can you let me have it?—Yes. I put it in. (Report handed in—vide Appendix.)

1443. There is one other matter; I want to know the circumstances under which the Town Clerk (Mr. Henry), asked a cheque of the London and North-western Railway Company for £106 18s. 3d.—There is a printed report about that also—a report of a special

committee of the Corporation appointed to consider all the particulars; it enters the facts concerning that cheque, and was read over to me at the meeting of the committee before being printed. (Handed in the per-side Appendix.)

1444. You in the course of your duty, I believe, were the first person who drew attention to this matter?—Yes, it became my duty.

Mr. Byrne.—That case of the London and North-western Railway Company was an exceptional case.

Witness.—It could never have taken place except in the case of large firms such as the London and North-western Railway Company, where we knew we had only to send the account to get the money.

1445. CHAIRMAN.—Was it not the town clerk's duty to have given this cheque to the treasurer to lodge to the credit of that particular fund?

Mr. Byrne.—I have made an order in committee that all such accounts in future are to be made by receivable order to the Bank of Ireland.

1446. CHAIRMAN.—Was it in consequence of this matter that that order has been made?—Previous to the appointment of the present treasurer, the Corporation adopted the system of all payments being made to the Bank of Ireland by a receivable order, and as since that matter occurred—in relation to this particular case—an order was made that even such payments as this shall be made by a receivable order, so that, in fact no money now comes to the hands of any officer of the Corporation.

1447. To Witness.—You seem to have taken great pains in this distributive statement to apportion all these charges to their proper heads. Speaking as regards the item for houses—had this been done before?—Not to the same extent, but the proper distribution of the accounts has been the great care of the committee, and I have tried to carry out their views.

1448. Have you any other matter which you wish to put on our notes about the accounts of No. 1 committee?—In the case of each payment made, before the cheque is drawn the account is examined by a committee specially appointed of the members contained in it. The general committee meet on Saturday. For the sake of convenience there are two sub-committees, "A" and "B"; the one deals with arranging the other with paying and general works; and all accounts connected with arranging are brought before the "A" sub-committee—the veterinary surgeon's accounts, rents of stables, and all matters of that kind. Each account is examined for the purpose of seeing if it is certified by the proper officer. In matters of contract the book-keeper must certify that the particulars of the accounts are correct, and the store-keeper must certify that the goods have been received. The committee then recommend them for payment. On Wednesday all accounts connected with sewerage matters—cesses, bricks, timber, rents of the places in which these goods are stored, are brought before the committee. If there is no officer in the service of the committee cognizant of a particular matter, or competent to give a certificate, it is certified by a member of the committee who has a special knowledge of the particular matter. If an account is not certified it is sent for inquiry and brought before the general committee on Saturday, and if found satisfactory the committee order it for payment, and the cheque is then drawn—or as soon as funds permit. All these accounts are brought before Mr. Finlay.

1449. When you refer to the general committee—the committee that meet on Saturday—do you mean No. 1 committee?—Yes, the general meeting.

1450. Did you ever know a Saturday on which you had not a quorum?—No.

1451. Of how many members does the committee consist?—Twenty members.

1452. How many form a quorum?—Three.

1453. What is the average attendance?—I do not know, but the return of the attendance can be handed in. It must be about twelve or thirteen out of the

twenty. The sittings are very long. The amount of business to be transacted, of course, is very great, and the committee does not rise till four o'clock. We always have a quorum at one o'clock sharp, and indeed we very frequently have to wait for the hour.

1454. How many members form a quorum in the Town Council?—Twenty members.

1455. They are not so fortunate as No. 1 Committee in getting a quorum, I believe?

Mr. Byrom.—No, indeed we are not. That is a great difficulty in the Council.

Witness.—I should say that there are also several special meetings of No. 1 Committee held, from time to time throughout the year. Some account was made in London before the Select Committee of the House of Commons, as to the payment of the accounts of the manufacturing contractors, that the contractors deferred payment for a long time. The reason they are not paid is, that many of the contractors do not send in their accounts until the end of the month following that in which the materials were supplied. You will see the accounts are paid with great regularity. (Returned to showing payment made within about six weeks after delivery of the materials by the contractors.)

1456. Mr. EXHAM.—Are the manufacturing materials taken by contract every year?—Those are by contract. The committee advertised for supplies in three years. On the last occasion the prices differed very much. Some of the contractors were too poor to bind themselves to send in a certain quantity; and the engineers, having considered the business very carefully, advised the committee it would be better to offer prices all round for various descriptions, because he feared if we took contracts with the larger contractors who would charge us, say 4s. 6d., while the poor men from the mountains would do it for 4s. 3d., he feared if we made this arrangement the poorer men's materials would be sent under cover of the richer man's contract, which would, after a time, throw us altogether into the hands of the richer man, who, by-and-by would charge us what he liked.

1457. CHAIRMAN.—I see the accounts are furnished monthly; are they paid in every case the next month but one?—The desire of the committee is to pay within the succeeding month; but owing to the irregularity of the contractors, who are generally ill-paid and very careless, they are not always able to do so.

1458. Mr. Byrom.—As a matter of fact, the February accounts of 1877 are at present paid.

Witness.—Yes.

1459. Mr. EXHAM.—Do the contractors deliver the stones in quantities of so much a week, or so much a month, or is it according as they are required or written for?—The engineer arranges that; he either reduces the amount or increases it.

1460. Are these taken into stock in any depot?—They are all delivered in the streets.

Mr. Byrom.—And sometimes, if our funds do not serve, we are obliged to cut them down arbitrarily 20 per cent.

1461. Mr. EXHAM (to witness).—Then how do you arrange about the checking of the number of loads delivered and the weight?—The contractor brings his load to one of our weigh-bridges in one of our depôts; the weight is there taken by our depot-keeper, who issues him a ticket and directs him where to deposit it—the depot-keeper having previously got directions from the overseer. The man delivers the load in the street, and gives up the docket; the overseer, if there, signs the docket, and notes it in his day-book.

Mr. Byrom.—And it is upon that docket he is paid.

Mr. Neville.—There is a book kept.

Witness.—Every depot-keeper sends up every morning a return of the loads he has weighed, the name of the man, the quality of the materials, and the quantity of the material. The inspector compares it next morning with the manufacturing overseer's book, and he sends the account to the book-keeper who enters it in

the large book. If the contractor sends us in a false docket it can be detected.

1462. Mr. EXHAM.—But was there not some case some time ago of some man altering a docket or something of that kind, and getting payment of something he ought not to have?—No; he did not get paid. The moment the contractor's account was taken in hands by the book-keeper he detected it.

1463. But as far as it is possible, in your experience, is every check that human ingenuity can devise adopted for the purpose of seeing that the contractors only get paid for the amount that they deliver and the price per load?—I really do think so.

1464. And is every cart-load of stones weighed?—Every cart-load of stones is weighed and registered in that way. In addition to that a book is laid before the Worksday's committee with the various descriptions of materials delivered on the north side, and a similar book is kept for the south side; and these are checked by the inspectors of works and laid before the committee.

Mr. French (a member of the Council).—I would like you to ask Mr. Beveridge what are the first-cost prices of the materials.

Witness.—You have it there. (Hands in book.)

1465. Mr. EXHAM (to Mr. French).—The list is in this book for 1875. The prices are given, and the net prices are also given, and the quantity given out on the streets. That is all the contractor has to say to it. Then, of course, it is a matter of figuring to see how much per ton it will cost in labour to lay those stones or spread them on the streets; but there is no labour entanglements in the way of breaking or that kind of work—they come in broken, ready to be spread into the yard. In fact it is calculated with such care that they put down, I see, the very decimals, so that these they must be weighed with the greatest care. If the weighmaster chooses to weigh falsely, and give a false docket, Mr. Beveridge and the other officers are not accountable for that. (To witness).—Does the same thing apply to sand or anything of that kind?—Sand, as a rule, is brought into the depot, and kept until required, and it is the same with lime and cement.

1466. Now, with regard to asphaltum other than the Lincolne, do you put down the taraspalte yourself?

Mr. Byrom.—We do that also by contract. We, however, never do anything except on Mr. Neville's recommendation. Then the labourers' wages are calculated by there being men who give in time tables of each man's services, and the work he is employed on. Each overseer gives a return of each man and the place where he works, and if a man is idling he will not be paid.

1467. Mr. EXHAM.—Is it a fact, Mr. Neville, that men are paid only by the day or half-day, and that broken days are taken from them?—Mr. French.—Yes.

1468. (To Witness).—And this book then (a large ledger labelled "Materials Delivered") is before No. 1 Committee every week?—The book-keeper brings it up when called on.

1469. But the book is regularly made up every morning, and the committee have it to look into every morning if they like?—Exactly.

1470. There are some articles go into depot, you say, such as sand, lime, and those things. Is there any regular annual stock-taking?—There is no regular annual stock-taking. From time to time the engineer gets his officials to take stock.

1471. Is there any stock-book kept showing the things going out?—Oh, yes; the depot-keeper keeps it.

Mr. Neville.—Everything that comes in is entered into the stock-book.

Witness (Producing return).—This is a return of all implements in store at Windward-street. That was made out on the 1st of August, 1876, by order of the city engineer.

1472. Nothing, I suppose then, can go out of the store without a docket?—No; if a man comes in with a broken pick to get another, he is obliged to bring in a docket. No orders for supplies are given, except by

DEPOSED,
April 26, 1877.
Mr. John
Beveridge.

DEBATES.
April 18, 1877.
Mr. John
Beveridge.

the Committee; or, in case of emergency, by the city engineer.

1473. Mr. ERYAN.—Of course in the same way any new streets, or repairs of streets, or anything of that kind, are all done by order of the Committee?—Yes. We have our own carpenters and smiths.

Mr. ERYAN.—We have our own factory. We buy the materials—the timber, &c.

1474. And then for shoeing the horses?

Mr. ERYAN.—We shoe and physic our horses by contract.

1475. CHAIRMAN.—I have been requested to ask you, Mr. Beveridge, whether when you came into your present situation you did not find the accounts in great disorder?—The book-keeper had got behind. He was in delicate health, and a very old man, and, I believe, had troubles of his own; and the committee found it necessary to get in a public accountant. This public accountant, Mr. Beane, set the books into good order, but the public accountant had the book held before he came here. You see it is now a very accurate system of accounts. The improvement fund, at first, was regarded as a fund for everything; and No. 1 Committee having a large stock and works if anything was wanting to be done, No. 1 Committee was requested to do it, and the work was done, and no account returned. But when they began to be plucked for money afterwards, they began to keep a stricter account. The committee had adopted several resolutions before I came into office, and made great efforts to put matters right, and had got things to a great extent rectified; but there was no day-to-day supervision over these books, and finding the number of resolutions on the books, I followed them up, and, with the assistance of members, and notably of Town Councillor Byrne and the late Town Councillor Barry, very great changes were effected. The sum of £1,485 was brought to credit from the sewer funds, and now, instead of waiting until the end of the year for inquiry, and finding out how many horses have worked, sums due on account of this service are brought in at once weekly to the credit of the improvement fund.

1476. We saw yesterday that you had reduced the debt on the improvement fund from £1,000 and odd to £100, and that was principally from getting a recoup of £2,482 from the north and south sewers fund?—Yes; but beside that there is another matter the committee were behind at the bank, and the treasurer shewed, week by week, by his returns, that the account was overdrawn. Instead of that this year, we opened with £3,300 to the credit of the improvement fund.

1477. But were you not only enabled to do that because you had borrowed this money?—No, this was apart from the loan.

Mr. ERYAN.—We do not mix the two; the loan is separate.

1478. I do not know how else you could have a balance to your credit on the improvement fund. In 1875 you left off with a debt of 2480. What is this £17,002 15s. 9d. which Mr. Beane, the public accountant, certifies for on the ledger at the end of December, 1876?—These are contingent liabilities which were not due upon that date, but will become due in future years.

1479. Now, you want to show what was the total indebtedness in 1876?—The total indebtedness in 1876 he makes £17,803 15s. 9d. From that you must deduct instalments for asphalt to be spread over a number of years, and three bonds for asphalt to fall due in future years; these should not be charged in an account of indebtedness up to 31st December, 1876. That leaves £14,115 0s. 11d. Deduct from this the amount of £363 13s. 4d., chargeable to the sewer funds, and it would leave an indebtedness of £13,751 6s. 7d. Against this should have been set for credit the money due by the waterworks committee, the public health committee, and the gas company, and presentment moneys, which should have been transferred to the credit of the improvement fund before this; the works having been actually in progress, and partly paid for.

Then there were the arrears of the improvement rate to be put against the balance, and, as in the year before, we received £10,424—taking them at the same figure, £348 would be the indebtedness in the improvement fund, and that without deducting the value of houses, plots, &c.

1480. You stated that you started this year with a credit balance of £3,500?—The treasurer's financial statement of 30th December, 1876, which may be subject to some rectification, consequent on Mr. Finlay's present audit, shewed on that day to credit of the improvement fund £5,870 18s. Deduct from that the amount to credit of the loan, which I have taken at £1,363 7s. 6d., but which is still subject to further deduction, because I have credited the loan with 2446 5s., the bank interest on an instalment with or deposit; this should go to the credit of the improvement fund; but even taking it at my figures, it would leave £4,506 10s. 6d. Deduct £613, portion of the Michaelmas presentments, 1875, for paving ways, which was transferred to us in the year by a clerical error, and it leaves a balance of £3,893 10s. 6d. Then of this, there is a sum of money due to Mr. Burlington, £167 11s. 3d., which has to the credit of the improvement fund as a security for paving streets last year; this leaves £3,726 19s. 3d. to credit of the fund, and there is also the sum of £446 5s., referred to.

1481. Then, in point of fact, the treasurer's account and the loan account are put to the same bank account?—Yes, to avoid the trouble of drawing two cheques weekly. If we had two accounts the result would be drawing the two cheques for wages, but we include on the bank, for the information of the city accountant, what is charged for the loan and what for the other account.

Mr. ERYAN.—You should bear in mind the loan was £20,000, and that we had spent nearly £10,000, and had paid £1,000; so that this is really a balance of the improvement rate.

FINLAY.—If, in the course of Mr. Finlay's audit, there is any error discovered, of course then the account will be subject to rectification.

1482. CHAIRMAN.—£5,870 18s., balance of improvement fund was, you say, the amount to the credit of the improvement fund; then, after making certain deductions, and allowing for a clerical error of arrears, there remains a sum of at least £3,200?—Yes. The improvement fund had a credit balance some years ago, but then contractors were not paid with the same degree of punctuality.

1483. In respect of this £20,000 you have taken out of the £20,000 loan, how any of it been expended on any other department than the improvement fund?—No. 3 Committee asked for a loan, but No. 1 Committee did not see their way to giving up that money.

1484. We have had it in evidence, I think, something spent out of that loan, has been spent, not only in respect of the improvement fund, but in respect of a particular class of expenditure?—The Committee have not at the present moment to credit of their bank account more than £450; now, we ought to have to credit on account of loan this moment £1,000, so that in this way we have now £550 of the loan to pay current expenses. That is the system which Mr. Finlay calls lending the money from one department to another. That could be avoided by having a separate bank account, but it would entail an immense amount of trouble. Now, moreover, instead of paying our workmen with a single labour cheque, hitherto we have to draw three cheques, two on the sewer funds, and then the two cheques for the week by number with the improvement fund cheque, a system which no business man would tolerate in his own business for an hour. The old system, if worked accurately, had advantages, and would save an immense amount of labour. The improvement fund might under it be debited with a balance to credit of the sewer funds of say £7,000. It is a loan on which we are paying no interest, and we pay the money out of these moneys until the improvement money comes in. We know how it stands

exactly in our own books, but we are getting a loan without the trouble of negotiating it, or the disadvantage of paying for it.

1485. That is very true, but it is a very dangerous system.

Witness.—The collection of the Collector-General is paid to us, you know, on Monday mornings, and that statement you had to-day only shows the collection for the last week, and there is money at present in bank unissued by us.

1486. Mr. ENHAM.—Your book and the bank book will never tally now.

1487. CHAIRMAN.—Your staff have all they can do now in keeping the accounts in separate books; it seems simply a question of the amount of labour imposed.

Witness.—Yes. There is also labour for the committee, each cheque has to be signed by three members, and there are three cheques now in many cases in which one formerly sufficed.

1488. This extra trouble would surely be very well repaid by being able to balance your banking accounts separately.

1489. Mr. ENHAM.—If it were legal it would be a very great advantage to you.

Mr. BYRNE.—We sometimes borrow from one fund to another in the interest of economy; and whenever we have an ample fund and require to borrow, we prefer to borrow from that ample fund, and not from the bank.

1490. CHAIRMAN.—Do you get this account every week from the bank?—Yes.

Witness.—If we had the option of selecting our own banks, then we could make arrangements by which the balance in the one account would be set off against the balance in the other, so as to relieve them from interest; but the law being to bank with the Bank of Ireland, we can make no such arrangement.

1491. CHAIRMAN.—I asked you just now, whether the report of the committee of the whole house with regard to the cheque for £106 18s. 3d., which passed through the hands of Mr. Henry, the town clerk, had been handed in. That report, I understand, came up before the meeting of the Council. Town Councillor Gray then made a very elaborate statement of the whole facts, and moved:—

“That in consequence of the statement of facts submitted by the committee of the whole house in their report dated 22nd March, 1871, the town clerk be, and is hereby, required to send in his resignation.”

That was not carried, although it was stated this was not the first occasion similar complaints had been made as regarded the town clerk. Then, an amendment was moved by Sir John Barrington:—

“That the report of facts from the committee of the whole house showed that the town clerk devoted in his hands a sum of money which he, as receipt therefor, should have lodged in the vault of the Corporation; that such proceedings be put, though not done with any fraudulent intent, was highly reprehensible and irregular, and calculated considerably to shake the confidence of the Council in him; that he be publicly reprimanded and suspended until he had security for £1,000 for his future regular conduct.”

The casting vote of the Lord Mayor was given in favour of the amendment; and that is how the matter now stands—that Mr. Henry is still town clerk, suspended until he gets security, and if he finds security for £1,000 he will resume duty.—Yes. I understand so. I was not present at the meeting of the Council.

1492. Mr. ENHAM.—Do you know anything about these men who have been superannuated, and who

have been the subject of complaint?—I looked into the matter very carefully. It was the intention of the Council to superannuate these men. They adopted the report of the committee on the question, and I find from the report on the subject the men were to do lighter duty in Whitehouse-yard (the Corporation yard). They were very deserving men, strongly recommended by the city engineer to the committee; and men of very long services.

1493. Mr. BYRNE.—But they did as a matter of fact perform light work in Whitehouse-yard under that order?—They did. They always regarded themselves as pensioners, and for a time they did light work; and then becoming more feeble they were told to go about their business, and the entry continued until the auditor found it out.

1494. Was it perfectly understood these men were not to do any work?

Mr. BYRNE.—That is the fact. Two of the men were blind, and one was disabled with a broken back.

1495. CHAIRMAN.—This is a singular way of giving them a pension.

Witness.—The matter alluded to by Mr. French, that payment was given to a person who was dead for two years arose through a curious concurrence of circumstances. The man was very old and bed-ridden. His wife for some time before he was dead was in the habit of receiving the money. This woman after his death came and made a false representation. If it had been made to the same officer the matter would have been discovered, but there was a succession of pay clerks.

Mr. French.—The woman was not his wife, but reported herself as such. She was really a woman with whom the man lodged.

Mr. BYRNE.—As to the point as to whether these men should have been superannuated by the committee, the shortest employment of any one of them was thirty-five years. They had entered the service of the Paving Board fifty-five years ago, some of them forty years ago; and when the Paving Board's duties were transferred to the Corporation we took them over as part of the Paving Board staff, and it appears to me that the Act of 1859 gives us power to give them pensions as it provides that former officers may be superannuated.

1496. CHAIRMAN.—The question is whether they were officers. However, that is a question which has been raised by the auditor and which I think had better not be again raised before us.

Mr. BYRNE.—As you have inquired, it might appear we were doing something we had not authority for by law. I want to allege we had lawful authority for it, and we did rightly.

1497. You did not pension them; you sent these men to Whitehouse-yard at 7s. a week?

Mr. BYRNE.—Exactly; and if they did not do the work it was the fault of the officer who was placed over them, because, as a matter of fact, they did this work two or three years after this arrangement was made, and then they dropped off. I was a member of the committee during the whole time, and I did not know the men had ceased to do the work until afterwards.

Witness.—There is another point, which is this:—In all large establishments there are a few hangers-on, who get some small allowances. Several members of the Corporation have such hangers-on.

1498. CHAIRMAN.—Yes, in their own private establishments, but that is a totally different thing.

Hon. J. P. VANDERKES EXAMINED.

1499. Mr. ENHAM.—How long have you been a member of the Corporation?—I have been a member of the Corporation for eighteen years, and I have been Lord Mayor. I am now a member of No. 2 Committee. I am a lawyer by profession, and I may say a landlord and land agent also. (Witness then expressed himself as strongly opposed to Corporations in general having the management of property left in their hands, as being totally unfitted, as a general rule, from habits or training, to transact this descrip-

tion of business. The Corporation, moreover, were heavily in debt, and consequently in the same position as that of the Irish landlords in the Famine year. When the Corporation were going to grant a lease they were not free parties to that issue. There were sixty members of the Corporation, and each of those sixty was influenced by different impressions, and, unfortunately, as generally happened in Ireland, by different political views. They let lands, not as holders of land, but as people seeking popularity out of doors. Witness, in

Witness.
—Got 12, 1871.
Mr. John Barrington.

Hon. J. P.
Vanderkes.

DUBLIN.
April 18, 1877.
Hon. J. P.
Venables.

conclusion, read the following resolution passed by the Council on April 3rd, 1877, as illustrating the manner in which the Corporation sought to throw their duties on the Treasury:—

"Resolved—That inasmuch as the Corporation are of opinion that the rates offered by many of the towns are not sufficient, the necessary means for following them, in order to secure a fair value being offered for the several portions, and that the necessary in reference to all cases be taken in order to our tenants shall pay for power to avoid such losses, subject to the following:—
1. That in no case the Corporation shall be bound to accept the rates fixed by the Mayor, Aldermen and Councillors, nor the other rates valuations, nor in any case in which the Corporation shall be of opinion that same be insufficient; 2. That unless a general valuation be appointed by the Council of the Treasury subsequently to their receipt of the returns respectively, the fixing of the rates shall be for agreement of the Corporation with some towns after the Council of the Treasury shall have signed their assent to the general power of the necessary; 3. That, in the event of the rates offered by the several valuations being below the offer of the town, no sum below the offer of the town shall be accepted."

1860. CHAIRMAN.—Is it your opinion that, so far as the property is concerned, it would have been better to remain under the old by-law, or are you in favour of an amended by-law?—I think it would be advisable in all cases to set by auction.

1861. Mr. Sykes.—Do you think it fair or expedient, in the case of a person who some five-and-twenty years ago took a house in a business street from the Corporation, and had established his business there, that the interest in his business should be put up to competition?

CHAIRMAN.—I do not think the Corporation have anything to do with such matters. They are mere trustees, bound to get the best rent they can for those they represent without reference to sentimental clapnet. The conduct which in a private individual may be regarded as generosity will constitute a breach of trust of a legal bond when passed by trustees.

WEXFORD.
May 31, 1877.

Mr. Thomas
M. O'Leary.

WEXFORD.—May 14, 1877.

(Before Mr. Commissioner LAWLESS, Q.C.)

Mr. THOMAS M. O'LEARY, Town Clerk, examined

1. Mr. LAWLESS.—Are you the town clerk of Wexford?—I am.

2. How long have you been town clerk?—Since August, 1867.

3. How is the Corporation of Wexford constituted?—By a charter granted in 1846.

4. Of how many members does the Corporation consist?—Of twenty-four.

5. Is Wexford divided into wards?—Yes.

6. How many?—Three wards.

7. What are their names?—Solegar, St. Iberia, and St. Mary's.

8. How many members do each of these wards return to the Council?—Eight—two aldermen and six councillors.

9. Can you tell me what the rateable valuation of Wexford is?—£15,790 was the last valuation. I may mention that in 1869 it was £730 less; it was £15,074 then.

10. Can you tell me the acreage within the municipal boundary?—Yes; 4444. 32. 112 statute measure.

11. Can you give me the rateable valuation of each of the three wards?—Yes; Solegar, £4,469; Iberia, £5,670 10s., and Mary's, £5,433 5s.

12. State the number of voters in each of these wards?—The number of voters in Solegar Ward is 94; in St. Iberia, 99; and in St. Mary's, 43.

13. I see that the valuation of Solegar is only £4,689, and yet there are ninety-four voters in it; the valuation of St. Mary's Ward is £5,433 5s., and there are only forty-three voters in it?—In St. Mary's Ward there are a great many small houses, under a valuation of £10; that is the poorer part of the town.

14. What is the qualification of members of the Council?—That fixed by the 3 & 4 Vic., chap. 106, and the Charter.

15. Is the Mayor chosen from the Council generally or from the Aldermen only?—From the Council generally.

16. Is the Town Improvement Act—the 17 & 18 Vic., chap. 103, adopted here?—Yes.

17. When was it adopted?—In the year 1870.

18. Was it adopted in its entirety or only in part?—The entire Act was adopted, but no rate has ever been made under it.

19. Have the powers of the Grand Jury of the county of Wexford over the borough been transferred to the Corporation?—They have.

20. How were they transferred?—By a provisional order of the Local Government Board, dated 15th

November, 1873, which was confirmed by an Act of Parliament passed on the 16th June, 1873, by which order the jurisdiction and authority of the Grand Jury with regard to roads, bridges, footways, and public works within the borough were transferred to the Corporation.

21. And at the same time did the Grand Jury cease to have the power to levy county cess within the borough of Wexford?—Yes; they ceased to have that power.

22. Does the borough of Wexford still continue liable to contribute to the payment of county at large charges?—Yes; in proportion to its valuation.

23. How is the proportion of liability fixed?—By that Provisional Order and Act.

24. What power of rating was conferred on the Corporation by that provisional order?—They were empowered to levy in addition to the borough rate a further rate not exceeding 2s. in the pound.

25. Has there been any other Act passed or provisional order obtained affecting the powers of the Corporation of Wexford?—None, except the provisional order of the Local Government Board, dated the 2nd December, 1873, and confirmed by the 36th & 40th Vic., cap. 165, passed in 1844, empowering the Corporation to construct waterworks. I wish to state the position of and explain the advantages derived by the borough under the Provisional Order Confirmation Act of 1873. The valuation of the borough is £15,790 5s., but as the rate in lieu of county cess is leviable subject to the provisions of the 42nd section of the Town Improvement Act, 1854, by which the lands are to be valued to one-fourth, the valuation of the borough for the purpose of levying the rate is 10s. of county cess is £15,443 5s., and upon this valuation the rate of 2s. in the pound amounted to £1,044 5s. 6d., which, after deducting £73 5s. 4d. (being collector's fees at 1s. in the pound), leaves the net balance collected and lodged, £1,473 5s. 2d. From that sum deduct town clerk's salary, £40, and town surveyor's salary, £40, and you have £1,393 5s. 2d. The borough proportion of Grand Jury cess for county at large charges payable previous to spring assizes, 1876, was £399 7s. 2d., and to summer assizes, 1876, £245 7s. 2d. These two sums deducted from the last balance leaves £649 10s. 10d. to be expended on repairing the streets and improving the town. Before the powers of the Grand Jury in the borough were transferred to the Corporation, the average amount expended by the Grand Jury on the repairing of the streets and im-

prepayment of the town was £223 7s. 8d., so that we gained for the borough, by the separation, the sum of £436 6s. 2d. The associated cesspayers of the borough of Perth and the Grand Jury for several years presented £100 a year, or more, for flagged footpaths and other improvements for the borough, but in 1871 and 1872 some members of the associated cesspayers objected to pass any prepayment for the town except the repairs of the streets only, so that the townpeople had no alternative but to seek for a separation from the borough. The late Mr. Protheroe suggested the making of the borough into a separate borough, and the proposal was submitted to the Grand Jury; but it was found that the borough of Perth did not possess a sufficient area to enable it to be divided. The Local Government Act of 1871 being then passed, I called the attention of the Council to it, and urged the necessity of taking advantage of the 4th section to get the control of the taxation, and succeeded in satisfying the Corporation as to the benefit to be derived from it, and got them to take the steps necessary to obtain the Provisional Order. I walked on each member of the Grand Jury, and on my representation got almost every member to promise to support the Provisional Order, so that when it came before the Grand Jury it received their unanimous assent. I would not be stating the case fully and fairly if I did not admit that if the borough had not been separated from the town the cess on the remainder of the town would be nearly 2d. in the pound less than it is at present, which fact reduces the sum gained by £120, leaving, however, £300 of a net gain to the borough by the separation.

26. Was there an inquiry held here by the Local Government Board previous to granting the Provisional Order?—There was.

27. By whom was it held?—By Mr. Robinson.

28. Can you tell me what was the cost of obtaining that Provisional Order?—Yes, £39 5s. 2d.

29. What powers did the Corporation acquire under the Provisional Order of the Local Government Board of the 2nd December, 1875, and the Act confirming it passed on the 24th July, 1876?—The Corporation acquired the power of constructing public waterworks, and for that purpose to purchase lands.

30. Were they empowered to impose a water rate?—Yes, a domestic water rate not exceeding 1s. in the pound, and a public water rate not exceeding 6d. in the pound.

31. Did the Corporation acquire any borrowing powers under the Act?—Yes; the borrowing powers under the 40th section of the Public Health Act are extended and applied to the rates authorized by the Provisional Order, and to the costs, charges, and expenses to be incurred by the Corporation in the performance of their duties under the Order, and the Corporation are empowered to borrow any moneys necessary for those purposes.

32. Is that the last Provisional Order obtained by the Corporation?—Yes, it is the last.

33. Do you know whether there has been any other Act passed affecting the rights of the Corporation in any way?—None other.

34. Do the Corporation of Wexford possess any property?—They do.

35. What does it consist of?—It consists of some houses and lands.

36. Are they situated within or outside the borough?—The Corporation treasurer, who knows all about the property is present.

37. Do you refer me to him for information on the subject?—Yes.

38. Can you tell me what the population of Wexford is?—By the census of 1871 it was 13,077, and by the census of 1861, 11,734, so that there has been a small increase.

39. What rates do the Corporation levy in the town?—They levy a borough rate of 1s. in the pound.

40. Under what Act?—Under the Municipal Act, the 3 & 4 Vic., chap. 103, and under their charter.

41. How much was the borough rate assessed last year?—I mean for the year ending the 30th September,

1876—and what was the gross amount of it?—The rate was 1s. in the pound; the gross amount of it was £787.

42. Has the borough rate for this year been the same?—No; it is only 10d. this year.

43. Have you anything to do with the collection of that rate?—No; I only keep the accounts of it, but do not collect it.

44. What other rate do the Corporation levy?—They levy a rate in lieu of cess of 3s. in the pound, under the Provisional Order.

45. How much did it amount to for the year 1876?—£1,644 16s. 6d., which is not quite double the borough rate.

46. Do the Corporation levy any other rate besides those you have already mentioned?—No other rate; the borough rate and the improvement rate are the only rates.

47. Have they ever levied any water rate under the Provisional Order of 1876?—No; they have not yet borrowed the money authorized to be borrowed by that order.

48. Have they ever levied any sewer rate?—No; the sewer expenses are provided for out of the money saved by the separation of the borough from the town.

49. Does the revenue of the Corporation consist of anything besides the rates which you have mentioned, the rents of their property, and the small sums mentioned here in the last account audited by Mr. Finlay? For instance, I see in the account a small sum received as rent from fish stalls?—Yes.

50. And there is a small Government contribution for salaries and rates?—Yes.

51. What do the pipe-water receipts, represented in the account, consist of?—The present waterworks are carried on by the Corporation in the same way as they were formerly when owned by a private company. The Corporation give the water by agreement to those who choose to take it.

52. Then, have the Corporation any waterworks vested in them?—They have.

53. How did the Corporation acquire the works? Was it by purchase? Were the works previously vested in any private individuals?—The whole matter is explained in the minutes of the Provisional Order of 2nd December, 1875.

54. Are these works now vested in the Corporation of Wexford?—Yes.

55. Where are they situated?—At the back of the town, about 100 feet above the level of the sea.

56. Is the water from the works distributed through the entire town?—No, only through the main streets of the town; only to people who wish to take it.

57. Is, then, the taking of the water not compulsory?—No; but there are many seeking to get it when we are not able to supply. The supply of water is quite insufficient for the requirements of the town.

58. At what rate do the Commissioners charge for the water which they supply in the town?—The charge is in proportion to the rent of the house. The water superintendent can give you the full particulars.

59. Who fixes the rate to be paid by each house?—There was a regulation made by resolution of the Corporation, that it should be charged in proportion to the rent of the houses in which it is used.

60. Do the Corporation receive any fines under the Towns Improvement Act?—They do. At present they only receive one-half of the amount of the fines. At one time they got all the fines.

61. Have you a copy of the account audited by Mr. Finlay for last year?—I have.

62. Will you just look at the receipt side of it?—Yes.

63. Does that abstract show under the headings there mentioned the entire receipts of the Corporation for the year?—It does.

64. Look to the second part of the account, also on the receipt side. Does that also show under the headings there mentioned the entire receipts under the Provisional Order Confirmation Act, 1875?—Yes.

WEXFORD.
May 14, 1875.
Mr. Thomas
M. O'Leary.

55. Will you mention the different officers employed by the Corporation, and their salaries. In the first place, does the head of the Corporation, the mayor, receive any salary?—No, the mayor of Wexford receives no salary.

56. What officers do the Corporation employ?—The town clerk, at a salary of £12 10s. a year out of the borough rate, and £10 a year out of the rate in lieu of county cess, the treasurer, at a salary of £30.

57. Do you receive £22 10s. out of the borough rate, and £10 out of the county cess rate?—Yes.

58. When was the salary of £22 10s. fixed?—When I was appointed to the office of town clerk. I should say that I am also mayor's registrar. There was a man named Feallog who was mayor's registrar at a salary of £20 a year, but I fill that office now.

59. You are both town clerk and mayor's registrar?—Yes.

70. And do you receive £22 10s. as town clerk, and £20 as mayor's registrar?—They are both combined.

71. Has that salary of £22 10s. been paid to you ever since the date of your appointment in August, 1869?—No; I think there was some slight addition made to it since then.

72. Was your salary increased at any time?—It was.

73. What are your duties as mayor's registrar?—The mayor has a court, of which I am registrar, for the recovery of small debts up to £2. My duties with respect to the court are of a very troublesome character, as the people make the payments in small instalments.

74. Does the mayor exercise jurisdiction in nuisance cases under the Town Improvement Act?—Yes; and I act as clerk in that respect also.

75. Where do any fines imposed in nuisance cases appear in this account?—They are included in the other items.

76. Under what heading are they?—Under the head of "fines." I have the account in detail in my ledger.

77. What other officers do the Corporation employ besides those you have already mentioned?—The treasurer, at a salary of £30 a year.

78. What are the duties of the treasurer?—He receives the corporate rents, and accounts for them; he is the collector of rents as well as treasurer, and he receives and passes all the cheques.

79. Are the rents that he receives lodged in the bank in his own name, or in the name of the Corporation?—They are lodged in his own name.

80. In what bank?—I think he keeps his account in the Provincial Bank.

Treasurer.—We never have anything to lodge; we are always very scarce of money.

81. Is that £30 a year a fixed salary?—It is. I am also paid £10 a year for another account—the pipe-water account.

82. To the Town Clerk.—Does the treasurer give security?—Yes; he gave security a great many years ago. It is a continuing bond.

83. Can you let me see the form of it. Are there sureties with him in that bond?—There are.

84. Does the treasurer, Mr. Leary, receive any other salary?—He does; he receives £10 a year for receiving the water rents.

85. Then does he receive the water rents for the Corporation?—No; the superintendent receives the water rents from those who take the water, and hands it to the treasurer.

86. Do you say he is paid a fixed salary of £10 a year for that?—Yes.

87. Does the treasurer discharge any other duties under the Corporation?—None, but collect the rents.

88. Is he the collector of rents?—It is part of his duty as treasurer to collect the rents of the Corporation.

89. Have you now mentioned all the duties discharged by the treasurer?—I have.

90. What other officers do the Corporation employ?—The next officer is the town sergeant, or mayor's sergeant, who has a salary of £21 a year.

91. What are his duties?—He acts as messenger for

the Corporation, and has the management of the markets. He is under the directions of the mayor; and makes regulations in the fish market, and the other market.

92. I suppose he is paid that £21 a year out of the borough fund?—Yes.

93. What other officers do the Corporation employ?—There is an executive secretary office, a secretary office, a consulting and a sub-secretary office; and they receive £10, £15, and £20 respectively. The half of these salaries is paid back by the Government. Then there is the pipe-water superintendent, who has a salary of £25 a year.

94. Are there any other officers?—The town surveyor at a salary of £40 a year. When he was first appointed he had only £10 a year, but taking his very heavy duties into consideration, the Corporation increased it to £40 a year.

95. By whom are the streets and footways of Wexford kept in repair?—They are kept in repair by the Corporation since the separation from the burgh.

96. Since you get the Provisional Order Confirmation Act of 1873?—Yes; but under the provisional order any streets for which there was a contract were kept in repair by the contractors till the term of the contract expired. There is one street still repaired under an expired contract.

97. Are there some of the contracts made by the Grand Jury still unexpired?—Yes, one; and the payments in respect of it are included in the county at large charges, and paid to the Grand Jury.

98. Are those payments included in this item of £302 10s. 8d.?—Yes.

99. How is the town of Wexford lighted?—It is lighted by a gas company with whom we have an agreement.

100. Then the Corporation are not the owners of the gasworks?—They are not.

101. What is the rate paid by the Corporation to the gas company for the gas? How much per lamp?—I think it is £3 10s.

102. How many lamps are there in the town?—Eighty-four lamps.

103. Is there a contract between the Corporation and the gas company?—Yes; there is an agreement.

104. For how long is the contract?—It is only an agreement from year to year.

105. How much per lamp is the agreement for?—£3 10s. I think.

106. Is the expense of lighting the lamps and the cost of keeping them in order and repair paid by the gas company or by the Corporation?—It is paid by the gas company.

107. Is that expense covered by the charge of £3 10s. per lamp?—Yes.

108. If new lamps are required are they put up by the gas company?—Yes; the only charge to the Corporation is for lighting.

109. Are the lamps lighted all the year round?—No; they are only lighted eight months in the year; they are not lighted from the 1st May to the 1st September.

110. Is the scavenging of the town done by the Corporation?—Yes; the Corporation got it done by contract.

111. Is it done by contract or do the Corporation employ people to do it?—They get it done by contract.

112. What is the amount of that contract?—A man is paid £3 10s. per week, and gets the measure besides. It is also part of his agreement to water the streets of the town.

113. Is that agreement made with the man for a year?—The contract is to remain in force so long as he continues to give satisfaction. It is not made for a year. He entered into a bond and is to perform the contract during his good behaviour.

114. When was the last contract made with him?—About six months ago.

115. Was it made since this account for the year ending 30th September, 1874, was passed by the auditor?—It was. The contract was advertised and tenders invited. His was the lowest tender.

Witness.
May 14, 1878.
Mr. Thomas
H. O'Leary.

114. Is it considered that the scavenging of the town is well and sufficiently done under this contract?—I think this man is doing it very fairly.

115. Is it efficiently done?—I think it is fairly done. I won't say it is sufficiently done.

116. Is it the duty of the scavenger to clean, not merely the principal and public streets, but also the lanes and by-ways where the poorer class of people live?—It is his duty to clean every street, lane, and alley in the town. The quays and the streets leading from the quays to the main streets are under the care and control of the Harbour Commissioners.

117. What staff does that scavenging contractor employ for the purpose of scavenging the streets?—I think about six men and two horses and carts. The horses he has at present are good horses, and that is more than could ever be said of the horses employed at this work before.

118. What is the name of the contractor?—Thomas Deegan.

119. Where duty is it to superintend and look after the scavenging of the town?—The sanitary officer.

120. I mean as to the construction and repairing of the scavenging?—It is the duty of the town surveyor.

121. Will you look at the expenditure side of the accounts audited by Mr. Finlay for the year ending 30th September, 1876?—Yes.

122. Were all the moneys described on the expenditure side of these accounts—the borough fund and the improvement fund accounts—expended for the purposes for which they are said to be expended in this account?—Yes; they were.

123. Do those items on the expenditure side of the account represent the entire expenditure of the Corporation for the year mentioned?—Yes.

124. Do you know whether the Corporation exercise any control over the port and harbour of Wexford?—No; they do not.

125. Do they receive any income—derive anything in the way of tolls from the port and harbour?—No.

126. By whom are the port and harbour of Wexford regulated and managed?—Are there Harbour Commissioners?—There are Harbour Commissioners under a local Act of Parliament.

127. Do these Harbour Commissioners exercise any control or power over any portion of the streets of the town, or over the quays?—They exercise control over the quays, and over the streets leading from the main street of the town to the quays. They have the sole charge of those places.

128. Do the Harbour Commissioners repair these streets?—They have the sole control over them—they repair them, cover them, and in fact, do everything they require.

129. Do they also light them?—Yes.

130. That is, they light the quays?—Yes.

131. Do they also light the streets leading from the quays to the main street?—Yes.

132. Have the Corporation any jurisdiction with regard to the bridge across the Slaney?—No.

133. By whom is it kept?—By the Grand Jury. The borough only extends to the water's edge.

134. Is the road approaching that bridge considered a part of the quays which the Harbour Commissioners light, &c.?—No; the quays over which the Harbour Commissioners have control only extend as far as the end of Monk-street, near the court-house here. From a little beyond the old bridge they extend as far as Trinity-street.

135. Are the Corporation entitled to any representation on the Harbour Board?—Yes, the mayor and another member of the Corporation. The mayor is an *ex-officio* member of the Harbour Board, and another member is elected by the Corporation from their own body.

136. Do you know if when the member elected by the Corporation ceases to be a member of the Corporation, he also ceases to be a member of the Harbour Board. In other words, is he elected to the Harbour Board for life?—No, he is elected annually.

137. Supposing he ceases to be a member of the

Corporation in that year—supposing he resigns his position in the Town Council, would he then cease to be a member of the Harbour Board, or would he remain on it till the end of the year?—Such a case has never arisen here, but I should say he would then cease to be a member of the Harbour Board.

138. Are there any public markets in Wexford?—There is a portion of the town set apart exclusively for a public market, and there are by-laws passed for the purpose of compelling the people to go there. At present there is a building for market purposes being erected there.

139. When were those by-laws passed?—Three or four years ago—about three years ago.

140. And has there been a public market constituted in that place?—Yes.

141. Is it the property of the Corporation?—It is; because they have taken the ground, and pay £50 a year rent for it.

142. Have they built any new market-houses there?—They are building at present.

143. From what fund?—They contracted to borrow £5,000 from the Public Works Commissioners for that building, and £400 was borrowed to buy the interest in it.

144. Was it also borrowed from the Board of Works?—Yes; £50 of it has been repaid.

145. Do the Corporation receive any tolls or dues from these markets?—No, not up to the present time.

146. Are they to be free markets for the use of the public?—That question will not arise till the building is erected.

147. Do they receive any rents from stalls?—There are no stalls erected yet.

148. Do they propose to receive any rents from stalls?—The place is not yet finished. The foundation has only been laid.

149. Are there fairs or markets held in the streets of the town?—There is a fowl market held in the streets, and potato market held in another part of the town, called the corn market. These markets are regulated by by-laws made by the Corporation.

150. Have the Corporation received any tolls or dues in respect of these markets?—They receive no tolls at all.

151. How often are these fairs held in the streets of the town?—How many times in the year?—About once a month, I think.

152. Does not the holding of the markets in the streets of the town cause obstruction and a nuisance? Are not the streets in a very dirty state? Are they not nearly impassable after the fairs?—The people use for the fairs the place that has been purchased for the market.

153. They are not then held in the public streets?—With the exception of the fowl market, they are not. The fowl market is only held for two or three hours on Wednesday mornings. A vast number of cars with the fowl come into the town, and we could not accommodate them in any other way.

154. Does that market cause an obstruction in the streets?—It does while it lasts, but that is only a few hours in the morning.

155. Does it not give additional trouble to the scavenging contractor?—It does; but the manure pays him very well for it.

156. Are there any public slaughter-houses in Wexford?—No.

157. Are the existing slaughter-houses registered?—They are.

158. Is it the duty of any of the officers of the Corporation to look after the way in which those slaughter-houses are kept?—I should say the sanitary officer would do that.

159. Whose duty is it to see that the slaughter-houses in the town are properly kept?—I think it should be the duty of the town sergeant to do it.

160. Is there any registry of the common lodging-houses kept in Wexford?—There is not.

161. Was there ever a registry of the common lodging-houses kept here?—Never.

Westford.
May 24, 1877.
Mr. Thomas
M. O'Leary.

164. Is there a public cemetery in Westford or near Westford?—No; there are only the ordinary churchyards.

165. Are there many churchyards in the town?—There are several.

166. How many altogether?—There are six.

Mr. Thomas
Lacy.

Mr. THOMAS LACY examined.

169. Mr. LAMBERT.—Are you the treasurer of the Corporation?—Yes; I am treasurer and agent of the Corporation.

170. How long have you been treasurer and agent?—Forty-three or forty-four years.

171. Were you treasurer under the old or former Corporation?—I was treasurer previous to 1840. I was appointed to the office in 1833.

172. Do you receive the rents of the property of the Corporation?—I do.

173. Can you tell me what their property consists of?—Are they lands outside the town?—Chiefly lands outside the town, but there are some inside.

174. The lands, I suppose, are in the county of Westford?—Yes, within a radius of a mile and a half from the town.

175. Do the Corporation possess any houses or lands in the town?—Scarcely any. There are some small holdings along the town wall for which we get 1s. a year.

176. Within the town?—No.

177. But within the municipal boundary?—Yes.

178. Do the Corporation pay any head rent?—No, we do not pay head rents except the £20 a year for the market and town-hall; there are instances in which the Corporation have become tenants of their own tenants, who held under very long leases. For instance, the Corporation hold a piece of land for a reservoir from Mr. Percival, who is himself a tenant to the Corporation.

179. I understand you to say that the Corporation pay no head rents to landlords except for the market and town-hall, and for some small portions of property which they took for certain purposes from their own tenants?—Yes.

180. Are the lands held by the present Corporation of Westford the same as those possessed by the old Corporation?—Some of them are, but we recovered some property recently by means of searches that were made. I made searches under the direction of the solicitor of the Corporation, and we succeeded in adding £98 to the rental.

181. Where is that property which you say was recently recovered?—In various places outside the boundary of the town wall.

182. In whose possession was that property which you say was recently recovered?—In the possession of various persons, but the leases fell out. We made a search for it and got it. We receive £50 a year for a property at the West-gate—the hotel is built upon it.

183. Do you say that old leases which have been held by middlemen expired, and then you got an increased rent from the occupying tenant?—Yes; the property was lost sight of until we made searches in the Registry Office, and found out our title to it.

184. What is the present rental of the Corporation property?—£319 2s. 6d., and then there is £11 1s. 6d. for the rent of the Pipefields houses. We pay £20 a year rent for the market ground; £13 8s. 6d. for the town-hall and market-house, and £4 for a passage to the reservoir. That reduces the rental very much.

185. Are the Pipefields held by the Corporation from a tenant of their own?—Yes, from Mr. Percival.

186. Do you keep an account of the rents received annually by the Corporation?—Yes; they are all in this book. (Rent-book produced.)

187. I find the entire rental of the Corporation represented here at £319 2s. 6d.—Yes; and you will also see £11 1s. 6d. for the Pipefields.

188. Are the lands of the Corporation held now by the tenants under lease, or do they only hold from year to year?—They hold by leases.

189. Has there ever been any attempt made to hire any of those churchyards closed up?—Yes, there was a meeting held with reference to it.

190. Was it because any of the churchyards were overcrowded?—Yes.

189. Do all the tenants hold under lease?—Yes, they do.

190. How many are there altogether; there appears according to your book to be fifty-four separate tenants?—I presume that is right. Here is a document which I prepared for you (handing in document) showing the terms of the leases; some of them are for 99 years, and some of them for ever. That shows we would have a fine property only it was let for a short and not, and we never can recover it for centuries. The books belonging to the Corporation that would have given us the particulars of these holdings were all burned or lost during the rebellion of 1796.

191. With respect to those lands which you say you recovered for the Corporation, and by which you say the rental was increased by about £68 a year, was it in cases where old leases fell out?—Yes.

192. Then you discovered that the holdings were the property of the Corporation?—Yes.

193. Can you tell me at what that three leases fell out?—I could not charge my memory with the dates now, but I know we recovered them about the year 1850.

194. Was it long before that time the leases fell out, or just about that time?—Several fell out before that time.

195. Give me one instance in which a lease of property fell out?—A property at the West-gate, for which we only received one shilling a year, but for which we now receive £25 a year. For the premises adjoining it we now receive £28 a year, and formerly we did not receive anything.

196. From whom were you receiving that one shilling a year with respect to the West-gate premises?—From a man named Richards, a descendant of William Sherlock, for a small piece of twenty-two feet adjoining, and outside the town wall.

197. Could you tell me the date of the lease under which he held the property, and paid the rent of one shilling a year?—I could not say, unless it is set out on that document which I gave you. I could not exactly say whether it was held under a lease or not.

198. How was the letting made of these premises at West-gate to Walpole?—A lease was made to him; he was in possession of the premises at the time it was made. He was the tenant of a very respectable man named John Edward Redmond.

199. Mr. John Edward Redmond must himself have been a tenant under the Sherlocks?—He purchased the property from parties who were under a very natural misapprehension. He thought they had less rights, but they had not, and he lost money on it.

200. When was the lease given to Walpole?—About 1850. It is a lease for seventy-five years, and the counterpart is in the hands of the town clerk. The Corporation were bound by the Act of Parliament not to give a lease for a long period, except it was a building lease, and they gave a building lease for seventy-five years.

201. How was that letting made; was the place advertised publicly to be let, or offered to public competition in any way?—I do not think it was; Mr. Walpole was the tenant of the premises, and had expended a large sum in building, and the Corporation did not like to disturb him, so they made the lease to him.

202. Did he build on the premises?—I think he must have made improvements.

203. How did the Corporation estimate the rent at which it should be let? Did they get the houses valued by any person?—I am not aware that they did; Mr. Walpole made a proposal to the Corporation, which they thought reasonable; they may also

have thought he had a prior right as the occupying tenant, and so made the lease to him. I think it was a fair transaction, that is my opinion of it.

204. Do you know what the Poor Law valuation of that property is?—I ought to know it. I know that the valuation is not up to the rent at all.

205. Do you know whether or not Mr. Walpole was a member of the Corporation at the time that lease was made to him?—I do not think he was a member of the Corporation then, but I think he was subsequently. I do not believe he was; I do not remember it. There was a family named Wheeler that held premises at Colcoats. Their lease expired in the year 1833, and when we made the search the rent that had been reserved by the Corporation was £4 19s. 2½d. These lands have been let subsequently by the Corporation, and they now receive £205 10s. 5d. for them.

206. Do you mention that circumstance, Mr. Lacy, in order to show at what very low rents the Corporation property was let by the old Corporation?—Yes.

207. And that a good deal of property was alienated in that way by the old Corporation?—Yes. I may mention but one case to give you an idea of that. There is a field at the Windmill-hill, which contains between four and five acres. I have heard it said that it is now let at £4 an acre, and all we get for it is 1s. a year. It is held under a lease for ever.

208. To whom is that lease?—To a person named Roe.

209. At the nominal rent of 1s. a year?—Yes; it produces to Roe, I suppose £25 a year. That case shows you how lands were let in those times.

210. When was that letting at 1s. a year made?—It was made to the grandfather of the present Roe. His name was Richard Redford Roe.

211. How much rent do the representatives of Roe receive for this holding?—I do not know with certainty myself; I have only heard it by rumour that they get something like £4 an acre for it. The field contains somewhere about five acres, so that they might be getting £20 a year, while we only receive 1s. a year. It is as I said a lease for ever.

212. What is the acreage of the Corporation property in the county of Wexford, outside the town?—I could not tell you that. I do not know it, but we have a map that I got prepared by Mr. MacDonnell, our surveyor, which would give the entire acreage.

213. Have any holdings fallen out of lease by the termination of the lease lately?—No; and I have made a search, and found that no leases will fall out for centuries.

214. Have there been any new leases of Corporation property made since the year 1840?—I do not recollect any with the exception of that to Walpole.

215. Who is the person at present holding that portion of your property called Colcoats?—The representatives of Richard Walsh.

216. Are those the only lettings of property made since the year 1840?—I mean since the passing of the Corporation Act of 1849?—There was a field at Windmill-hill, which we recovered at the same time as the others, and which the Corporation let at £3 a year. The Corporation, however, sold it afterwards to the trustees of John's school, who built a school upon it, and turned it into a park and gardens for the use of the school. The Corporation sold it for £360.

217. When did that take place?—About the year 1853.

218. Was the sanction of the Lords of the Treasury obtained for that sale?—I do not know.

The Mayor.—It was.

219. Have you no trace in your books of a letting of lands of Clonsilla in the year 1838, or between that year and the beginning of the year 1840?—I cannot at present remember anything of it. If I knew the names of the parties I might remember it.

220. Is there any tenant who pays the Corporation £15 a year as rent of land on Clonsilla-road?—Yes; Mr. Peter Symonds pays me £15 a year for land on Clonsilla-road.

221. When was that letting made?—It belonged to Mr. Richard Walsh, and I do not know if it was by

an arrangement with Mr. Walsh that Mr. Symonds succeeded him as the tenant of the holding. Mr. Symonds used to pay the rent to me, and then the place came into the hands of Mr. Peter Symonds.

222. When was that letting made to Mr. Walsh?—Walpole's lease is dated 1st September, 1855, and Walsh's lease is dated 9th January, 1855. That is another lease made since 1840.

223. Can you find out whether there were any leases made by the old Corporation in the interval between 1st September, 1855, and 1st January, 1841?—I have no record of any, and I do not think there was. I am not sure however.

224. Have you any means at your disposal of finding out?—I do not think it is in my power to do it. Mr. O'Leary, the town clerk, has the counterparts of several leases.

Peace Clerk.—There are a great number of them.

225. Can you find out if there were any in the interval between the 1st September, 1855, and 1st January, 1841?

Peace Clerk.—By searching amongst the leases I can.

226. Were those lettings made to Walpole and Walsh the only ones made since the year 1840?

Witness.—There was a small letting made to a woman named Bridget Howe.

227. Can you show me her name on this list prepared by you, or the name of whoever represents her?—The counterpart is in the hands of the town clerk, and it will tell the date; her rent would be £3 a year.

228. For what term was that lease made to her?—It must have been for a short term. I dare say it was not more than thirty-one years.

229. Was it a town holding, or was it part of the lands?—It was part of the lands.

230. Was there any other letting besides the three you have now mentioned?—I do not remember any other letting.

231. Either of lands or of premises in the town?—I cannot remember anything else at present. I would be inclined to think there was no other, though possibly I may forget.

232. The lease to Walpole of the 1st September, 1855, of premises at Wind-gate was made in pursuance of a resolution of Council, passed at their meeting on the 17th April, 1855, by which it was resolved on the motion of John Walsh and Thomas M. Vickery—

"That on the petition of the petitioners at Wind-gate, now in the possession of William Walpole, being delivered to us by the sheriff of the county of Wexford, they be sent to William Walpole, esq., at the yearly rent of £35, he paying an advance £30 towards the costs between solicitor and client on our writ of appointment to recover possession of said premises. Mr. Walpole to get a building lease for the term of seventy-five years, with the necessary legal instrument to be inserted therein."

Did Mr. Walpole after getting the lease on the 1st September, 1855, build upon the premises?—He did; there were houses built on the premises since then.

233. Here is another resolution with regard to Walsh's holding, passed at the meeting of Council on the 17th April, 1855—

"Resolved.—That on the petition of the multi-house and stores at present in the occupation of Alderman Richard Walsh, and small houses adjoining thereto being delivered to us by the sheriff of the county of Wexford, they be sent to the said Alderman Walsh, at the yearly rent of £25, provided he authorizes to the mayor his writ to retake the said premises on the above terms, premises to the occupation of the Habers, and that he gets a lease of the said premises for a term of thirty-one years if he so desires."

Was this Alderman Walsh in possession of the multi-house and stores in the year 1855, an under-tenant of some person holding under the Corporation?—Yes.

234. Was Mr. Walsh as he was described an Alderman of the Council Corporation then?—Yes.

235. Was anything done about letting these premises except passing this resolution?—Not that I know of.

236. Was there ever a lease taken out by him?—Not that I know of.

237. Has he been in occupation of the premises mentioned in that resolution ever since?—Yes; and he is paying the rent for them ever since. £20 is the valuation of that holding.

Witness.
May 24, 1871.
Mr. Thomas
Lacy.

WATSON.
May 16, 1875.
Mr Thomas
Lacy.

238. Do you know whether there was any valuation made by the Corporation of the letting value of those premises which they agreed to let to a member of their own body?—I am not aware that there was anything of that sort done.

239. Was there any advertisement of the intended letting of these premises?—Were they in any way put up to public competition before this resolution was passed by the Council?—I have no recollection of it—I do not think so. The persons were in possession and it was considered by the Council that the tenders made were fair, I never heard anyone criticize them.

240. Is Alderman Walsh himself in actual possession of these premises?—Alderman Walsh is dead.

241. Are his representatives in possession?—Yes.

242. Did he himself up to the time of his death continue in actual occupation of the premises?—Yes. He carried on business in the milk-house.

243. Can you tell me of any other letting made?—There was a letting of premises at Barnack-gate—a lease made to Alderman Stafford of a small bit of ground adjoining the town wall.

244. Is this the resolution passed in the month of April, 1835, under which the letting was made?—

"Resolved, that the premises near the Barnack-gate, now in the possession of R. W. Ryan, &c., be let to him by a lease for seventy-five years at the yearly rent of £1."

Yes. That lease was afterwards transferred by Mr. Ryan to Mr. Stafford.

245. Was there a lease taken out by Mr. Ryan?—I do not know; I think the lease was made to Mr. Stafford.

Mr. Ryan.—It was Mr. Stafford got the lease.

Witness.—Yes; the lease was made in Mr. Stafford's name.

246. Mr. LAWLESS.—I find by the lease which I have here that it was made to Mr. Ryan and not to Mr. Stafford; and it was made to him at the time he was a member of the Town Council.

Mr. Ryan.—I got possession from the former owner—a man named Roache. It was a piece of ground let at a nominal rent (1s. or so), and held by an old family named Molesch, the place was called Slougher-house-lane; there was an old slaughter-house in it. The Council thought it was very good to get £3 a year for it.

247. Mr. LAWLESS.—What are the circumstances of the making of that letting to Mr. Ryan? I find that by a resolution passed on the 11th September, 1835, a lease is to be made to Mr. Ryan, Town Councillor, of a small piece of ground in Slougher-house-lane at the rent of £3 a year for a term of seventy-five years. Then there was no lease made till the year 1867, and a lease was then made to Mr. Ryan for sixty-four years from 1st May, 1867. Then Mr. Ryan sold his interest in it in consideration of Stafford paying £40. On the 9th May, Mr. Stafford surrendered to the Corporation, and on the 11th May, the Corporation made a lease to Stafford of these premises at a rent of £3 a year for sixty-nine years, Stafford covenanting to expend £200 in building—I am not aware that it was intended to be let. The place would have been of very little use to anyone else. It adjoined Mr. Stafford's premises, and of course it was very useful to him.

248. (To Mr. Ryan).—Did you receive any money or consideration from Alderman Stafford for that holding?—The former tenant who held the place was in my debt, and Mr. Stafford agreed that if I gave the lease to him he would discharge the debt to me.

249. How much was the debt?—As well as my memory serves me I think it was about £40.

250. Did Mr. Stafford in that way actually give you £40 for the holding?—He did.

251. (To Witness).—Was there a lease executed by the Corporation to Alderman Stafford?—I believe so; if there was, of course the counterpart will be in the possession of the town clerk.

252. (To Town Clerk).—Can you show me that lease?—I'll look for it, and produce it to-morrow.

253. (To Witness).—Was the sanction of the Lords of the Treasury obtained to the making of that lease?—I am not aware.

Mr. Finery.—The sanction of the Lords of the Treasury was applied for and obtained.

Witness.—I find that the letting which I before referred to was made to a person named Howe; the woman, Bridget Howe, was a widow. The letting was made to John Howe, and the counterpart lease would also be in the possession of the town clerk.

254. At any time it was only for a term of thirty-one years, at £3 a year?—I think so; it was held by the representatives of Hamilton Knox-Groves Morgan, and when the right expired I spoke to Lady Esmonds, the widow of Sir John Esmonds, and she at once gave it up to us. It consists of two rods of ground, on which there is a small thatched cabin.

255. Can you mention besides those lettings—the last was that made to Mr. Ryan—any other lettings that have been made by the present Corporation?—No, I cannot.

256. I find that the Corporation at the time appropriated your services in recovering this property. I find this resolution—

"That the sum of £20 be given to Mr. Lacy, our treasurer, to be received and labour in assisting so materially in the recovery of the Corporation property?"

Oh, yes; the sum was not a large one, but I am looked upon as a very small man, and they dealt with men that way.

257. Do you think you can find out for me if there have been any other lettings made by the present Corporation?—I do not think there were any others; but there are one or two small holdings that we last night of. I don't know of any lettings beyond those I have already mentioned.

258. You mentioned five lettings?—Yes.

259. What portion of the property is this mentioned at No. 10 in the list of corporate lands "Representatives of Patrick Frayne, £1 1s. 11d." Do you receive £1 1s. a year from the representatives of Patrick Frayne?—Yes.

260. And you cannot state what the lands are for which you receive that sum?—I do know the lands.

261. Do you know their extent?—I should say that very probably they might consist of about two and a half acres. I never saw a survey of that property, but I know very well where the lands are situated.

262. Do you know whether or not there was a resolution passed by the Corporation as to the mode to be adopted by them in letting any lands that fell out of lease?—I am not aware that there ever was any particular course struck out for such cases.

263. I find here a lease made on the 10th December, 1839, between the old Corporation and David Robinson, of the lands of Coalbrook, containing by survey, 10a. 2a., Irish plantation measure, for a term of ninety-one years from the 1st May in that year, at a rent of £42 1s.—Yes, it had been let to a person named Williams, and Mrs. Wheeler was the representative. Robinson assigned his interest in that place to Mr. Roe, who has been paying me the rent ever since—paying me the full value of the place.

Mr. Finery.—I think I could produce Mrs. Wheeler's private map.

Witness.—All her lands passed into the possession of private parties—Doyle, Robinson, Stafford, and so on.

264. I find that Walpole's lease concludes with a covenant in the following terms:—

"In consideration of the agreement (hereinafter mentioned) and of the Act for the regulation of Municipal Corporations in Ireland, 5 & 6 Vict. 105, &c., the said William Walpole, covenants for himself, his executors, administrators, and assigns, that and will comply with the provisions thereof, as respects the administration of Corporation property in as full and simple a manner as was laid in the 14th section of the said Act, and according to the full and true meaning to be applied to the same desired provision."

Yes; that is his contract to build.

265. You mentioned a while ago that the rental of the corporate property was £319 2s. 3d., and £11 13s. for the Pipefields. Now I find that in the receipts for

the year the Corporation are debited with having received £382 7s. 2d. 1.—That may be; the difference may be made up of arrears.

266. For the year ending in September, 1875, the Corporation received £308 13s. 6d. 1.—Yes; the rental-book will give you all the particulars.

267. Are the rents of the corporate property well and regularly paid up?—They are paid very well.

268. Do you receive the water rents from Mr. Higgin, the superintendent?—Yes.

269. Do any other funds of the Corporation pass through your hands?—All the funds of the Corporation pass through my hands; no one else receives any of the funds.

270. You receive the rates from the rate-collector?—Yes; I receive the borough rate from him, but not the rate in lieu of county cess which is paid by the collector into the National Bank as treasurer for that rate.

271. How do you lodge the moneys which you receive? Do you keep an account with the bank in your own name?—I have scarcely ever any money in my hands. When I have any I lodge it in my own name in the Provincial Bank.

272. How do you apply the money that you do not

lodge in the bank?—When I get a cheque from the Corporation I pay the money.

273. Do you mean a cheque drawn upon yourself?—Yes.

274. Do you know the amount of the present capital debt of the Corporation of Wexford?—I do.

275. Just tell me the sums borrowed by the Corporation, and the security on which they were borrowed?—The rents were given as security, and I believe the rates were also given.

276. You mean the borough rate?—Yes.

277. What were the sums borrowed by the Corporation?—I believe they borrowed £400.

278. Was that sum borrowed on the security of the borough rate?—Yes.

279. The property and the borough rate?—Yes. We paid six instalments out of it amounting to £60, and we also paid £74 for interest.

280. Is that sum of £400 the only sum borrowed by the Corporation?—That is the only sum they actually borrowed, and we only owe £340 at the present time.

281. You do not yourself collect the borough rate?—No; I receive it from the collector.

Mr. NICHOLAS MACDONNELL examined.

282. Mr. LAWLESS.—Are you the town surveyor of Wexford?—I am.

283. How long have you been acting as surveyor?—Since the month of February in the year 1871.

284. What salary are you paid?—At the time of my appointment I was paid £10 a year. It was a merely nominal salary, because my duties were confined to looking after old houses, and to report on their condition. My duties then were of a very trifling character.

285. Your salary is now £30 a year, I believe?—Yes.

286. What are your duties now?—I am to look after the condition of the streets and sewers, and, in fact, to perform the usual duties of a town surveyor.

287. Is the scavenging department at all under your supervision?—No, it is not; though I was requested to sign the scavengers' pay-list every fortnight.

288. Town Clerk.—The town surveyor and the alderman for each ward had to certify that the scavenging is well done.

289. By whom are the repairs of the streets actually done? Are they done by people regularly employed by the Corporation, or people only employed occasionally as the work requires it?—The latter is the way. The men are only employed when there is work to be done. There is a time-keeper who is always on the look-out to see what work requires to be done.

290. Do you know what is the condition of the town as regards sewerage?—The sewerage of the town is very much improved lately.

291. Is there better sewerage?—Yes.

292. Are there main-sewers in the streets of the town?—No; not in all the streets, but there are works in progress now, and we are making sewers in some of the streets which were not sewered before.

293. Under whose professional direction are the contracts for carrying out these works made? Are they made under your direction?—The contracts are made by the Corporation.

294. I know that, but do you prepare plans and specifications of the works required to be done?—I do.

295. Do you make an estimate of the cost and expense of the works?—Yes. I do.

296. Do the Corporation advertise the contract—do they invite tenders?—They do.

297. And do you say now that there is considerable work being done in the way of making sewers for which the Corporation have accepted contracts?—Yes; they are estimated for and are at present in progress.

298. Does that contemplated work provide for main

sewers in all the main streets of the town?—No; not in all the streets, but in such as we consider require it most. The works selected to be done were thought the most necessary by the works committee, and I also gave advice in the matter.

299. About how many miles of streets are there within the borough?—I should say about seven miles.

300. Of that seven miles of streets how many are properly supplied with main sewers?—Well I could not answer that question exactly. I should say there is about two miles properly sewered.

301. Is the town insufficiently provided with main sewers?—It is insufficiently provided with sewers at present but the drainage of the town has been very much improved within the last two or three years.

302. If there is only about a mile and a half or two miles of sewer and seven miles of streets in the town the towns must be very badly off. Up to the year 1872, did the Council do anything in the way of making sewers in the town?—They were always doing something to the sewers I believe.

303. Town Clerk.—It was chiefly because there was so little done in that way, that we got the separation from the county.

304. (To Witness).—Have you got any map of the town showing the existing sewers?—Yes; I shall produce the map in the morning. I have all the sewers in the town marked on the map. Mr. Tinsdale furnished me with the map and it is in my possession.

305. You have only been surveyor since the year 1871 I believe?—Yes.

306. Have the streets of the town with respect to the condition of the sewerage (apart from the streets in which there are existing sewers) been improved by the moneys recently expended upon them by the Corporation?—Very much improved.

307. In what way?—In the way of having their surfaces cleaned and levelled. The streets were very nearly worn out at the time they were given into our hands by the county. The centre of the streets served as a channel to carry off the water more than the water tables at the sides. That was the case in a great number of the streets and we are filling them up and improving them very much.

308. Have you done anything to improve the condition of the footpaths in the town?—Yes; we have done great deal.

309. Have any actual sewerage works been carried out under your inspection?—Yes; certainly.

310. Recently, by the Corporation?—Yes.

311. How much money has been laid out in doing

Witness.
Sep 24, 1875.
Mr. Thomas
Lay.

Mr. Nicholas
MacDonnell.

Witnesses.
May 14, 1917.
Mr. Nicholas
MacDonnell.

that work?—About £80 was expended on a sewer in Green-street—it is mentioned in my report and was an open sewer up to the time that we commenced to make the improvements.

310. Does this report which you have handed in to me give a statement of all the works done since you have been acting as town surveyor?—No; it only gives the work done within the last two or three years. Most of them were done within the last twelve months—in fact the work has been going on very well this last year.

311. I see that in the accounts for the last year the Corporation take credit for having expended on flagging and repaving the streets and footpaths of the town, the sum of £251 1s. 4½d?—Yes.

312. That sum included £119 for making a new road from Bridge-street to Mill-road, and there is also a charge for making water tables in Trinity-street, and a sum of £26 1s. 10d. was expended in that year on sewers?—Yes.

313. Was that for new sewers?—Certainly.

314. I see by looking at your estimate for the present year that you propose to make a sewer of sixty perches, Irish, in length, from Taney's to Castlehill?—Yes; that sewer is now in progress.

315. Is that a main sewer?—Yes; a sewer in the centre of the street.

316. What size is it to be?—Twenty inches deep, fifteen wide, and made in the shape of a "V."

317. Is it a brick sewer?—Yes; it is a sewer on the most improved plan, approved of by the Dublin engineers.

318. I see that you propose this year to construct 185 perches of sewers, and you estimate the cost at £744?—Yes; the contracts for the works have already been entered into.

319. Is all this work to be done in one ward, or will it be distributed over the three wards?—It will be distributed over the three wards.

Witness Clerk.—The sewerage and footpaths are to be given to the streets in rotation.

320. (To Witness).—I see you contemplate spending a very substantial amount of money upon the roads, footpaths, and sewers of the town?—Yes.

321. Is there any regulation enforced by the Corporation here with regard to compelling the owners of houses which are within a certain distance of a main sewer to have connecting drains with it?—Yes; that is part of the plan; we have hit upon a plan now of building a six-inch pipe into the sewer opposite every house, so as to receive the drainage of the house; we do this while we are constructing the main sewer.

322. You mean in the new sewers which you are at present constructing?—Yes.

323. The connection, I suppose, is made by a piped sewer?—Yes, so that each house can drain into it.

324. Are there any regulations enforced in Wexford with respect to building of new houses?—No, there are not.

325. Are the persons building houses not required to submit their plans to you?—No; there has been no such rule enforced in Wexford up to the present, but I think there should be.

Mr. Simpson.—I brought this matter before the notice of the Corporation, but they did not like to enforce such a rule. Of course, they have the power, but they will not exercise them.

326. Mr. LAWSON (to Witness).—Do you consider it necessary that this should be done?—I consider it most important that it should be done—absolutely necessary, in fact. At present the people have no idea that they should consult anyone. They think they have a right to build in whatever way they please.

327. Have you anything to do with the water-works? You are not the superintendent?—I am resident engineer of the waterworks.

328. I mean of the new work?—No, not the new works.

329. What has been done by the Corporation with respect to these new waterworks? Has anything been done?—Yes; the Corporation wrote to the Local Government Board recently on the subject, and in fact they have done everything in their power.

Witness Clerk.—The plans are now before them.

330. I thought you might have been engaged in preparing the plans, but I see they were prepared by Mr. Hawkesley?—Yes.

331. Where is the reservoir?—About two miles and five furlongs from the boundary of the town.

332. Has the probable expense of these works been estimated yet?—£25,000 has been recommended.

333. Will it be necessary to purchase the site for the reservoir?—Yes.

334. Do you know anything about the condition of the town as regards a supply of water?—I do.

335. What is the condition?—The town is in a miserable state for want of water. It is no unfrequent thing for people who take the pipe-water to find the supply stop, and to be compelled to go out to try and get a quart of water to make the tea. In fact, if a person once begins to give water to those who ask for it, he may keep a servant specially for the purpose of attending to them.

336. Is there such a scarcity of water in the town?—Yes; the spouts are utilized in various parts of the town.

337. Is it found necessary to move the rain-water for domestic purposes?—Yes.

Mr. Lacey.—The water from the pumps and wells is so hard that it is only fit for shucking. There is one person who pays the superintendent for a supply of water, and for three weeks during hot weather last year, or the year before, he could not get a drop; that case illustrates the scarcity of water.

The Mayor.—At one time there was only one street in the town where there was water to be got.

Witness Clerk.—And the people pay for it.

338. Mr. LAWSON (to Witness).—Then, of course, there is no water available for the purpose of flushing sewers?—By no means.

339. Is there any water available for the requirements of water-closets?—Not at all; there is nothing available for that purpose but the rain-water. There is a perfect dearth of water in Wexford.

340. And must not the want of water have a very bad effect on the sanitary condition of the town?—Very bad, indeed.

341. Is there any other means of remedying this state of things than by getting the public supply of water as now contemplated?—There is not.

342. Do you consider that the obtaining of this proposed water supply is a matter of absolute necessity?—Certainly. We have the opinion of an eminent engineer in England, Mr. Hawkesley, as to the proposed supply.

343. You have a local knowledge and might possibly be able to form an opinion on the subject as Mr. Hawkesley. Do you consider that the plan proposed will be a good plan and give a supply of water sufficient for the requirements of the town?—I do.

344. Did you say the sum estimated was £20,000 or £25,000?—£25,000.

345. Do you know whether or not the water with which it is proposed to supply the town has ever been analysed?—I do not know.

Mr. PETER CHAMBERLAIN examined.

Witness.
May 15, 1877.
Mr. Peter
Chamberlain.

346. Mr. LAWLESS.—Do you wish to make some statement?—Yes.

347. Has it any relation to the water supply?—Yes. I am acquainted with the source of the water supply.

348. Do you mean of the present supply?—Yes, the present supply. I know the place for fifty years, I live within half a stone's throw of it, and I have the possession of the lands through which the water runs to supply the town since the year 1860. I have been at home there during the last twelve years, and I have an opportunity of knowing more about the facts of the case than anyone else. Now, I am able to state that I have seen an overflow from the reservoir fit to turn a mill. So great has it been at times that I have had to call the attention of the water superintendent to the way in which the road was cut up by the rushing of the water, and get him to draw loads of small broken stones for the purpose of filling it up. Since the month of October or November last there has been an overflow of water.

349. Is there an overflow at present?—Yes; it is running through my place. I have seen the water running to waste for months and months from a cock or pipe in John-street.

350. But is there a scarcity of water in the town of Wexford?—I believe there has been for the last few years.

351. I want to know what the drift of your observations is. You admit there is an insufficient supply of water in the town, but say there is a waste of water at the reservoir?—Yes.

352. You have known the place for a long time; have you ever known a scarcity of water at the reservoir—was there a scarcity last summer?—There was not much water there last summer.

353. And is the town to be depending upon such a

supply as that?—Well, of course it might be scarce for a week or two.

354. Did you ever see the reservoir empty?—I saw one of them empty; it is only about six feet deep, and the other one is fourteen feet.

355. Do you mean to say that the present water supply is sufficient to meet the requirements of the town?—Yes, with the exception of a week or two in the summer.

356. Do you know how the water is distributed in the town or how many of the houses are supplied?—I do not.

357. Do you know whether one-half of the houses are supplied?—I do not know.

Mr. TILGNER.—About one house in every twelve is supplied.

358. Mr. LAWLESS (to Tiltner).—Do you object to the proposed plan for supplying the town with water?—I do; the source is two miles away. We pay 6s. rates at present, and we will be overtaxed.

359. Will you go so far as to say that the present supply of water is a sufficient one?—No, I won't go so far as to say that.

360. Do not you think that it is the duty of the Corporation if they have it in their power to provide a water supply for both public and private use?—Four or five years ago the Corporation made a reservoir at a cost of £200, at least they partly made it, for they spent that amount on it. The hole is there, but it was never finished, and so of course the £200 has simply been thrown away. If that large reservoir was completed we would be able to save the water for the summer season.

361. Did you appear before Mr. Robinson, the Local Government Board Inspector, and make the statement you have made here?—No, I was at the inquiry, but did not tender myself to be examined.

362. Then you should have gone before him.

MAY 15, 1877.

May 15, 1877.

(The town clerk attended and handed in all the leases to be found, made by the Corporation between the 1st September, 1830, and 1st January, 1841.)

Mr. NATHANIEL HUGHES examined.

Mr. Nathaniel
Hughes.

363. Mr. LAWLESS.—Are you the pipe-water superintendent under the Corporation of Wexford?—I am.

364. What salary are you paid?—I receive £55 a year as pipe-water superintendent, and £10 a year for collecting the water rents. I receive altogether £65 a year.

365. What are your duties as pipe-water superintendent?—It is my duty to see that the inhabitants are fairly supplied with water.

366. You mean, of course, the people who take the pipe-water?—Yes. It is also my duty to have the pipes repaired when they require it, and to lay down new ones when ordered to do so by the Corporation, to employ workmen for that purpose, and to pay their wages to them.

367. Do you know the town of Wexford well?—I know it intimately.

368. What would you say is the proportion of the houses in the town taking in the present supply of water?—I think about one-tenth of them take it. So far as I remember there are somewhere about 2,000 houses in the town, and there are only about 237 or 238 take the water from us.

369. Would the present source afford a sufficient or more extensive supply of the water to the inhabitants?—No, not in certain seasons of the year. We were obliged to refuse people who were anxious to take the water. At present we have too much water, but in certain seasons of the year there is hardly any.

370. How long have you been pipe-water superintendent?—I have been under the present Corporation somewhere about fifteen years, and under the former for about the same length of time.

371. Do you mean that you have filled that office for thirty years altogether?—Yes.

372. So that you have an experience of thirty years as to the character of the water supply?—Yes; I think I know all about it.

373. Has the supply of water ever failed?—Several times. Every dry summer season, in the autumn and in part of the winter we have had a scarcity of water.

374. Has it ever been scarce in the winter?—Yes, in part of the winter—in frosty weather.

375. How is the water paid for by the people?—It is paid for under a scale made by a resolution of the former Board, which was adopted by the present Board. I should state that all the property belonging to the Pipe Water Commissioners was handed over to them by Act of Parliament.

376. Was that in the year 1863?—Yes; I think it was about the year 1863.

377. What is the quality of the water afforded by the present supply?—I think it is a very fair quality.

378. Has it ever been analysed?—Not to my knowledge, but I think it is pure water, and of a very good quality, except in the summer season. I do not consider it can be very good then when there are only a few inches deep of water in the tanks—the sun of course makes it almost unfit for use. We were obliged to stop the water at night, otherwise we would have had no supply at all for the day. We supply the water by means of stop-cocks, and there are only two streets in the town that get a constant supply. One of those is John-street, which is close to a reservoir. The people of John-street have a fountain which

WEXFORD.
May 14, 1917.

Mr. McNeill
Hughes.

were given to them, I understand, in lieu of water which was taken from them.

379. Are the people in John-street charged according to the same scale as the other people?—No, they have the fountain free.

380. Is that the only water given free of charge out of the present water supply?—There is also a small fountain in Selskar and one in Corn-market.

381. Do you know anything of the supply of water which is afforded by pumpage and by wells?—I know everything in connection with the water supply of the town.

382. Are there many pumps in the town?—There are a few.

383. Were they erected by the Corporation?—Yes; there is one in Corn-market, one near the old Pound, one in Gabbins-lane, and one in a place in Selskar called Well-bone.

384. Is there a good supply in private houses—do you know anything about that?—I think in some houses there is a very bad supply—in fact, no supply at all.

385. Were you examined before the Local Government Board Inspector?—I was, and I was also examined in London before the House of Lords.

386. When were you examined before the House of Lords?—Last June.

387. Was there an inquiry before the House of Lords?—There was. Mr. Robinson was here in the month of December.

388. Taking into consideration all the present sources of supply, do you think that supply sufficient for the town?—I consider it miserably insufficient.

389. I fancy that the Local Government Board Inspector came to the same conclusion?—Yes.

390. I see that last year your receipts on account of the pipe-water amounted to £267?—Yes.

391. That is for the pipe-water rents, and there is the rent of something called the Pipefields?—Mr. Lacy receives that.

392. For what is that land used?—A portion of it is set to some tenants.

393. For what do the Corporation use it?—For water purposes.

394. Is there a reservoir there?—Yes, and a portion of it is used for the purpose of breaking stones on.

395. Are the payments made yearly by the people who take the water?—They are paid half-yearly, except in a few cases, in which the payment is yearly. For instance, there are some mill-houses that get water from the Corporation, and they pay for the season—there are five or six of those cases. They pay for the season in accordance with the size of the steep.

396. In case of a failure of the water, do the people resist payment of the rents?—They often refuse payment to me—frequently. In former years the old Corporation used to allow a certain proportion of the rates to the people who complained, but the present Corporation do not make any allowance.

397. Do they require the people to pay, no matter whether they get the water or not?—Yes; they have to pay so long as the pipe is in the house—of course, if they wish, they may stop taking it, and have the water cut off. There is no water rate, the charge is in the shape of a rent.

398. Was the £69 18s. which appears in the last account under the head of "Expenditure on the water-works," applied for repairs made under your supervision?—Yes; and also for paying the men for turning on the water.

399. Are the wages of the men employed on the works included in that sum of £69 18s.?—Yes; and the wages paid to mechanics, such as plumbers, and cost of some materials, are all included in it.

Mr. WILLIAM
Hughes.

Mr. WILLIAM HUGHES examined.

400. Mr. LAWLESS.—Are you the collector of the borough rate?—Yes.

401. Do you collect any other rate for the Corporation?—I collect nothing but the borough rate.

402. What are you paid for the collection of that rate?—I am paid five per cent. on the collection.

403. Do you hand over the rate when you have collected it?—I collect it and hand it over to Mr. Lacy the treasurer.

404. Do you then get his receipt?—Yes.

405. Do you give his receipts to the Town Clerk as vouchers for your having collected and lodged the rate?—Yes.

406. Do you hand in any abstract or account to the Town Clerk at intervals?—Yes.

407. How often?—Every fortnight.

408. Do you hand over your receipts every fortnight?—Yes; and during the fortnight, just as I get in the money, I take it to the treasurer.

409. And get his receipt?—Yes.

410. How often do you give those receipts to the

Town Clerk—do you do so at any stated intervals?—Yes, every fortnight.

411. Do you deduct the amount of your own fees from the sum collected before you hand it in to the treasurer?—No; I send in my bill to the quarterly meeting of the Corporation.

412. You hand in your bill and get it paid at the quarterly meeting?—Yes.

413. Mr. FINLAY called your attention to the arrears of unoccupied premises?—Mr. Finlay has mistaken the Act of Parliament. I have no authority to do what he says.

414. Why do you say he is mistaken?—Because I collect under the Municipal Act.

415. You only collect the borough rate?—That is all.

416. He says it is under the Towns Improvement Act?—Yes; and it is under the Municipal Act.

417. Did you explain that to Mr. Finlay at the time?—No; I did not know anything about it at the time until after Mr. Finlay said to me that I should make my year end with his.

418. Is that a thing for you to do?—No; it is not.

Mr. Lacy.

Mr. LACY, Treasurer, recalled.

Witness stated that he had found no leases that had been made by the Corporation except those which he had alluded to on the first day.

419. Mr. LAWLESS.—Is there anything in the evidence given by you yesterday to which you wish to allude?—Yes; I wish to correct an error I made yesterday. There was a lease made by the old Corporation of a house at Westgate to Mr. Clifford.

420. I understand that to have been many years ago?—Yes; he leased to a man named Byrnes who kept a grocer's shop on part of the premises. Mr. MacDonnell succeeded Byrnes, and he also carried on business. MacDonnell built the hotel. The Corporation took the opinions of the late Right Honourable Abraham Brewster and Mr. O'Hara, as to their right to recover these premises, and were advised that any

right they ever had was barred by the Statute of Limitations.

421. There was a lease made to Walpole of certain premises at the Westgate at £25 a year?—Yes.

422. Are those the premises you refer to?—No; I refer to the premises at the Westgate on which the hotel is built.

Mr. HUGHES (pipe-water superintendent).—There is a pump which I have not mentioned to you at Black-owl-well. Several of the wells and several of the pumps run dry in the summer. I have seen people at one of the wells lifting the water with kettle covers and small articles of that sort, and I have seen them outside the town collecting the water so late as 11 o'clock at night.

Mr. THOMAS CLANCY examined.

Witnessed,
May 15, 1875.
Mr. Thomas
Clancy.

423. Mr. LAWLESS.—Do you collect the rate in lieu of county cess for the Corporation?—I do.

424. What are you paid for collecting it?—Five per cent. on the total.

425. Mr. LAWLESS.—Under a particular agreement.

426. Mr. LAWLESS (to Witness).—Do you give security?—Yes.

427. How?—By sureties and myself.

428. By a bond?—Yes.

429. (To the Town Clerk).—Have you got the bond?—I have.

430. To Witness.—Are your sureties living?—They are.

431. In what amount is the bond?—£250 each.

432. Yourself in £500, and the others in £250?—No; myself and the two sureties £250 each (bond produced).

433. How do you lodge your receipts?—I lodge them in the National Bank.

434. Is there any particular form of lodgment docket?—None beyond what is required to be filled in at the bank. That of course must be filled when I lodge any money.

435. They do not give you any form peculiar to this rate?—No; they do not.

436. You merely use the ordinary bank form?—Yes.

437. How often are you required to make your lodgments?—There is no specified time except that I must have all lodged before the close of each session.

438. Is there no by-law or regulation of the Corporation requiring you to make your lodgments weekly or fortnightly?—Not that I am aware of.

439. Is there a regulation to the effect that you are not to keep more than £50 in your hands?—Yes; I believe that is expressed in the bond.

440. Do you always observe that regulation?—Yes; I do.

441. Do you account for your collection to the town clerk; do you furnish any account to him?—Yes; at the close of the rate I present the lodgment docket to him I received from the bank.

442. You present them to the town clerk?—Yes.

443. And then he lays them before the finance committee?—No; they go before the meeting of the Corporation.

444. Do you retain your per-centage out of the rates collected?—No; I do not.

445. Do you lodge the entire amount that you receive?—Yes.

446. And do you afterwards send in your claim for your per-centage?—Yes, I do.

Mr. O'LEARY (Town Clerk), recalled.

Mr. O'Leary.

447. Mr. LAWLESS.—Are you the executive sanitary officer of the Corporation?—I am.

448. The Corporation of Wickford of course are the sanitary authority in the town?—Yes; the urban sanitary authority.

449. How long have you been acting as executive sanitary officer?—I commenced in January, 1875.

450. What salary do you receive as executive sanitary officer?—I receive £20 a year, of which the Government pay one-half.

451. Is there a sub-sanitary officer under you?—Yes; the mayor's sergeant acts as sub-sanitary officer. I forget to mention yesterday that he, in addition to his other duties, serves summonses for the Mayor's court, and takes charge of the fire-engines.

452. What are your duties as executive sanitary officer?—When the sub-sanitary officer discovers a nuisance, he reports it to the sanitary officer who reports on it through me to the Corporation. The whole of the Corporation are, by a resolution, constituted a Sanitary Committee. There is no part of the Corporation a separate committee for sanitary purposes. I submit the reports of the sanitary officer to the meeting, when an order is made in every case that the nuisance is to be abated. I then fill a notice which the sub-sanitary officer serves on the person concerned.

453. Is it not your duty to see that the orders of the Council, in relation to sanitary matters, are carried out?—Yes.

454. Are you required to do anything of yourself before you get directions from the Sanitary Committee?—I do nothing of myself. I wait till I get the orders from the Corporation.

455. The sub-sanitary officer reports to the sanitary officer, who makes a report to the Council. The Council then make an order, and you see it carried into execution?—Presently. (Form of notice for requiring the abatement of nuisances produced.) I say say that when one of these is served, the person generally complies without our taking any legal proceedings. In some cases, of course, we are obliged to take legal proceedings.

456. Is there a separate book kept in which the proceedings of the Sanitary Committee are recorded?—There is no separate book. The proceedings in relation to sanitary matters are entered on the general minute-book of the Corporation.

457. The proceedings of the Corporation as a

sanitary committee are not kept separate from the ordinary proceedings of the Council?—No, they are not. The first sanitary report was made on the 4th February, 1875.

458. I want to see the form in which the business is brought before the Board?—The Council meets as Town Commissioners sometimes, and sometimes as a Town Council, and this minute-book contains the proceedings of both.

459. Are these minutes copied into any other book afterwards?—Yes, they are copied into two books.

460. Does this book, containing the blocks of the notices that were served upon the people, represent the entire amount of sanitary work done by the urban sanitary authority for the year?—Yes; all the work that has been got done by means of serving notices on people, but a great number of persons abate nuisances without getting a written notice from the sub-sanitary officer. When he finds anything wrong he goes to the people, speaks to them, and if they comply with what is required without being pressed, the matter is not brought before the Council at all, and of course there is then no record of the transaction. Double or triple the number of cases are settled in that way that are done by means of serving notices.

461. I find here that from the 16th January, 1875, when you commenced to serve notices, and act under the sanitary laws, there appears to be a substantially good amount of work done. Then, for the year 1876, there does not appear to have been nearly so much done. I suppose that Dr. Sheridan found the town in a very bad way at first, and it being improved in the first year there was not so much to be done; and I suppose also in the second year more of the people abated nuisances without notices being served on them. Is that so?—I think it is.

462. Who is the person named Haron referred to in these reports?—He is the sub-sanitary officer.

463. Have you had occasion frequently to summon people before the magistrates?—Not very often; in some cases it is done, and they are then required to comply with the Act of Parliament.

464. I see many complaints of premises being kept in a very filthy state, also the roofs of houses badly kept, and pigsties kept in bad positions, and very dirty?—Some of these cases were brought before the magistrates, but very few of them, because the people when they get the notice generally comply with it, and there is no necessity to have summonses.

Witnessed
May 14, 1877
Wm. O'Leary.

464. Have the Corporation here, as the urban sanitary authority, any disinfecting apparatus?—They have no apparatus, but they cause dilution of lime and other things to be used for disinfecting purposes.

465. Do you find that the reports of the sanitary officer are acted upon generally by the council?—They are always acted upon by the council. The council have hesitated to act on some of them for a considerable length of time, because the work was of a very extensive character, but ultimately they have done it. That sewer that was made at a cost of £80, and which I referred to yesterday, had been recommended to be made by Dr. Sheridan a good while before they did it.

466. What street is that sewer in?—In Green-street; sometimes it is called Green-street, and sometimes Thomas-street, and sometimes Black Cow-lane.

467. Do you find it difficult to compel the poorer inhabitants of the town to do what is required by the sanitary authority?—As I said before, they do it when they are noticed, and very often without it.

468. In what state are the houses of the poorer people of the town with regard to privy accommodation?—I think some of them are in a very bad state, and some of the corner houses have no privies at all.

469. And no means of making them, I suppose?—No, there are no backyards.

470. I suppose, then, all the fifth and night-soil from these houses which have no privies or privies are thrown out into the street?—In some cases, at all events, they are.

471. How the urban sanitary authority does anything in the way of causing privies or water-closets to be built in houses where there was room for them?—Very little in that way has been done. One or two have been constructed, but no more. There was notice served on people with reference to this.

472. When was that?—A few months ago, after we commenced to make sewers in Mary-street or Chapel-lane. The sewers were made, but the other work was not done. I am told that in one case the owners employed people to do it.

473. Are there any cases in which the owners of property have been called upon to do work of this kind besides the case you have just mentioned?—No, I think not.

474. Who is the owner in that case?—Two men named Hayes. The property belongs to two brothers, who are joint owners.

475. Is it your duty at all to make reports to the council?—It is not my duty to examine nuisances. Occasionally I go about with the constables to do so.

476. Do you mean to say that the committee, or members of the committee, go out to examine places?—Yes, the members of the sanitary committee do.

477. They go out and examine places which have been the subject of reports by their officers?—Yes, and to examine some places which have not been the subject of reports. They make examinations generally with regard to houses which require sewerage, and also with the view to compelling people to make connecting drains where there are main sewers.

Mr. John Howe.

Mr. JOHN HANCOCK examined.

478. Mr. LAWLESS.—Are you the sub-sanitary officer?—Yes.

479. Is it your duty as sub-sanitary officer to inspect the houses through the town?—Yes.

480. How often do you do so?—Nearly every second day, or sometimes every day I inspect some streets.

481. You are also town sergeant, I believe?—Yes, I am.

482. Do you inspect the different streets of the town every day?—Nearly every day, unless on Wednesdays or market days, when, of course, I am too busy to do it.

483. Do you consider that you have sufficient time to perform the various duties which devolve on you—are you able to attend to them all?—Is it enough for a town like this with 12,000 or 13,000 inhabitants, to have one man only, to inspect the houses of the poor people?—One person, who had a good knowledge of the town, would be able to do it far better than two who did not know it so well.

484. But should you not have two people who were acquainted with the town?—There are some parts of the town where it is not necessary to go into the houses for the purpose of inspecting them more than once in the month, but there are others which must be examined twice a week.

485. In the poorer parts of the town?—Yes.

486. Do you make your reports to the sanitary officer, Dr. Sheridan?—I do.

487. When you find a nuisance existing do you ever call upon the people to abate it, before you make a report to Dr. Sheridan?—Yes; and three-fourths of the people do so.

488. I suppose they are chiefly cases of dirty back yards which you get remedied?—Yes; but I also get sewers made. The people in general are very agreeable. I have got a good many sewers made.

489. Do you mean connecting drains with the main sewers?—Yes. The fact is I do not report more than one case out of every seven or eight to Dr. Sheridan at all.

490. Do you mean to say that the owners of houses made sewers on your requiring them to do so, without your bringing the matter before the council at all?—Yes.

491. Do you find that the poor people, when a

nuisance exists, are willing to get rid of it?—I suppose they regard a notice from you as a kind of direction which ought to be obeyed?—Some do. Where there is sickness and the people are too poor to do what is required, I get it done on my own responsibility, and the Corporation bear the expense. When there is sickness in any part of the town, the Corporation give out lime and kerosene, and have the houses whitewashed. I disinfect them or else attend and see that it is done properly.

492. Do you ever require any persons suffering from infectious disease to be removed to the hospital?—Not often.

493. Do the poorer people here keep pigs in their houses?—Some do and some don't, but generally speaking they do.

494. Generally speaking they do keep pigs in their houses?—Yes. Generally speaking. There may be some cases in which they do not, but generally speaking they do. They keep pigs, but they keep the place clean.

495. Did you ever find that they kept pigs or animals in the houses in which they themselves live?—So that is what I mean?—I did; but I took the necessary steps and had them removed.

496. Clerk.—A man named Howe in Abbey-street kept a pig upstairs in the house.

497. I see amongst the reports many which have reference to keeping pigs too near the dwelling-houses. Did you report those cases or cause the pigs to be removed?—When they are kept too near the house, or if the pig-houses are not kept clean, I bring the people before the bench.

498. Are the houses of the poorer class of people badly off for want of privies or back yards?—There are privies in some places, but in others there are no means of making such. The yards are too small.

499. Are there many houses without privies?—The great majority of the houses are without privies. (Hence in the book kept by the sub-sanitary officer since May, 1875.) Nuisances are very often made known to us by the people, in informing on such other. If a man creates a nuisance one of his neighbours generally complains of it.

500. They are in the habit of making complaints?—Yes, and I am very thankful to them for doing so.

500. Do you believe, as a result of your observation, that the state of things in this town, in a sanitary point of view, would be improved by having a plentiful supply of water?—I think there is nothing so much required as a supply of water in the town.

501. Would the existence of a proper supply assist you in improving the sanitary state of the town?—It would very much. For instance, there is a meat market, and we have not a drop of water for the purpose of washing it out.

502. Where is the meat market situated?—At the quays. There is no portion of the town requires it more. There should be a couple of pumps supplying water to wash it out with.

503. Are there no means of doing that at the present time?—No means, except by using the salt water.

504. Do you inspect the slaughter-houses here, and in what condition are they?—I do. They are in a

very good condition—they are washed out every day after the beasts have been slaughtered.

505. Do you mean washed out by the owners? Yes; by the owners.

506. Have you ever had occasion to report any of the slaughter-houses?—I had to bring the doctor to one place, not because the slaughter-house was dirty, but because the manure was kept there. The slaughter-houses are washed out on Saturday mornings, after Friday's killing—that is to say they are washed out if the water can be got to do it.

507. What is done if the water cannot be got?—They are then swept out.

508. Is it also your duty to inspect the common lodging-houses?—I have not yet got any order to that effect, but I do inspect them nevertheless.

509. Do you want to say that you inspect them as you inspect other houses, but not specially as lodging-houses?—If I consider they are dirty after I inspect them I order them to be whitewashed.

Witness.
May 25, 1877
Mr. John Hearn.

Dr. MICHAEL J. SHEPPARD examined.

Dr. Michael J. Sheppard.

510. Mr. LAWLESS.—Are you the sanitary officer of the urban sanitary authority—the Corporation—in this town?—Yes.

511. How long have you been in that office?—Since they commenced here to work under the Sanitary Acts in the beginning of 1875.

512. Are you well acquainted with the sanitary condition of the town?—I know it pretty well. I would say that the sanitary condition of the town at the present time is very fair.

513. Do you refer to the health of the people?—Yes; I mean as to the health.

514. What about the condition of the houses of the poorer people—have you occasion to know in what condition they are?—Yes.

515. When you receive reports from the sub-sanitary officer do you yourself visit the places reported?—Yes; on all occasions.

516. I am informed that there are a great number of houses in the town which are absolutely without any sanitary accommodation?—Yes; there are a great number. Duke-street is in a very bad state, so also are Bridge-street and some small houses in the Fayton.

517. Are there any of the houses in those places which have sufficient room at their rear to admit of privies or water-closets being constructed?—In some cases the yards are very small.

518. Are there not, I suppose there must be, some of them in which privies could be built?—Yes; there are.

519. Have the Corporation, as the sanitary authority in the town, done anything to improve the state of things existing in regard to want of private accommodation?—I consider they have the power at all events.

520. But do they exercise the power?—I do not think that the matters you have referred to were brought before them.

521. Is it not the duty of the sub-sanitary officer to bring those matters before your notice, and your duty to report them to the Corporation?—Yes.

522. Did the sub-sanitary officer do so?—Unless something concerning manure he did not.

523. He has not brought before you any of those cases in which structural alterations would be required to be made?—He has not.

524. Have you ever in your reports to the sanitary authority recommended any privies to be built?—No; I do not think I did anything of that sort at all. I only report about nuisances that were required to be removed.

525. So that in fact all that has been done here in a sanitary point of view has been in the way of superficial cleaning and work of that kind?—Yes; only cleaning.

526. That of course is a great deal in itself, but it is not all that would require to be done?—No.

527. Do you not consider that it is the duty of the sanitary authority to go somewhat further than they have done—to see what the houses actually require, and to make substantial improvements as far as they have the means?—It may be the duty of the sanitary authority to do so, but I do not consider that it is their fault that it is not done. They are most anxious that it should be done, but the fact is these matters are not reported to them.

528. Do you think it would tend to the preservation of the public health if it was done?—Yes; I consider it would.

529. Do you find that your reports are promptly and fairly acted upon by the sanitary authority?—On all occasions.

530. Have you ever had occasion to complain of their not being acted upon?—I had to do so on one or two occasions. I had to make a report with reference to the road approaching the river bridge.

531. Was your first report not acted on?—They had a meeting about the matter, but still it was not cleaned.

532. Had you occasion to report a second time the want of a sewer in Green-street?—I had; those are the only two cases I think, which I had to report a second time. The sewer referred to has been made since.

533. In what way are the houses of the poorer people here crowded? Are they very much crowded?—In some streets they are very much crowded.

534. I am informed that there is no registration of the common lodging-houses?—No; there is not.

535. Would it not be an advantage if there was?—I consider it would be an advantage.

536. Don't you consider it absolutely necessary that there should be?—I do.

537. Are you aware why it was that the regulations for the lodging-houses were never enforced?—I am not aware of the reason.

538. As regards cases of sickness or infectious disease—do you find that there are sufficient means available in the first instance, for having the persons sick brought to the hospital?—I always, so far as I am concerned, advise the people to go into the hospital, but it is a thing impossible to get them to do it. I consider there should be some power given to the medical sanitary officer to compel the people to go into the hospital.

539. Supposing you find a case where you consider it necessary that the person should go into the hospital and that you find him willing to go, what means have you of conveying him to the hospital?—There is one car for the fever cases, and there is another for the union hospital. There is a fever hospital, county infirmary, and the union hospital.

Witness.
May 15, 1877.
Mr. Michael
J. Sturtess.

540. Have you sufficient means at your command to have places disinfected?—Yes.

541. As a medical man a great deal of responsibility devolves upon you in this respect. Are you satisfied with the means at your disposal for doing that?—Yes.

542. Have you ever found in your experience as a medical man, any difficulty arising from the want of a supply of water?—We have not a sufficient supply of water in the summer time. The poor are then in great need of water.

543. Do you consider the want of a more efficient supply of water injurious to the health of the poor in this town?—I consider that a more efficient supply of water is required in Wexford.

544. Were you examined before the Local Government Board Inspector at the inquiry?—No; I was not.

545. Was there any medical gentlemen examined at that inquiry?—Not to my knowledge.

546. I suppose you have very frequently to enter the houses of the poor people here, and you see the condition in which they are?—I am continually going into them.

547. Are you satisfied with the way in which they are kept?—In some cases I may say that the sanitary state as regards want of cleanliness is fearful.

548. Has there been since the Sanitary Act came into operation here, any improvement in the state of

things in a sanitary point of view?—Yes; there has so far as cleanliness is concerned.

549. Does sickness prevail much in this town?—We had an epidemic since last August. I think it continued in the town till about the 1st of April.

550. Do epidemic diseases prevail at all?—It was very hard to get sickness out of the town once it has got into it.

551. I understand there is no public cemetery, but that there are seven churchyards in the town?—Yes, that is so.

552. Are any of those churchyards overcrowded in your opinion?—I consider there are some two or three of them which are in a fearful state. Some of them are worse than the others.

553. Do you consider some of them to be injurious to the public health?—That is my opinion.

554. Has any attempt been made to you know to have any of those places closed?—An attempt was made a couple of years ago, but it was resisted.

555. I understand there was no actual application made?—No, not to the Local Government Board. With reference to the poorer class of people, I think that power should be given to the medical officers to compel them to go into the hospital. It is a disgraceful thing that they should be allowed to keep their children at home, when they are attacked by infectious disease, to spread it through the town. The disease is usually carried from one family to another.

Mr. William
Timmes.

Mr. WILLIAM TIMMES OBSERVED.

556. Mr. LAWLESS.—Are you a member of the council?—I am.

557. I believe you were Mayor last year?—Yes. With regard to the extension of the borough. I took some interest in the matter last year, feeling convinced that if we were successful it would reduce the rates. There would be a gain of £70 to the town, after paying for the lighting, and the expenses incurred by the increased repairs to roads, additional lamps, and the various costs in connection with it. I take it for granted, if we got it passed without opposition, that the costs of the Act would be just about £40. If we were opposed, the probability is that the matter would not be proceeded with, and if we got it without any opposition, it would make a difference of a penny in the pound on the rating, and it would be going back to the original borough boundary of Wexford.

558. What do you mean by the original borough boundary?—I think the old borough boundary is the present Parliamentary boundary. The Parliamentary boundary is larger now than the municipal boundary. That boundary would take in a larger number of houses, and probably would bring us about £20 or £100 more, but we have only allowed £70 after paying all the extra expenses.

559. Are the houses which would be taken in by the change of the boundary residences or villas?—Yes, occupied by merchants and gentry. Three gentlemen outside the borough boundary mentioned to me that they wished to be taken in because they would then be entitled to receive a supply of water, which they are very badly in want of at present. One of these gentlemen has created a lamp at his own expense, and has two pumps, yet, for the sake of getting a good supply of water, he would come inside the borough.

560. Have you the calculation made out on paper?—I will make it out. I had it prepared, but the Corporation do not wish to take up the matter unless the ratepayers urge them to do so.

561. Would the extension that you propose apply only to one side of the town?—It would take in all the three wards. It would add to all the wards.

562. Would it be necessary, in your opinion, to have a redistribution of the wards?—I think not. There would be a nearly equal addition to the wards just as they are at present. The greatest in-

crease would be on the Salskar and St. Iberts wards.

563. As I understand, the principle on which you recommend the proposed extension is that extension would bring increase of the borough property, and secondly the greater power that the Corporation would have of working the town properly as regards sewerage?—Yes; and it would give us additional security with regard to the money for the waterworks and increased gain to the water rates. Yesterday we heard that there was above one and a half miles of main sewerage in the town. The Corporation, I hope, will compel the people to make connecting drains.

564. Are you of opinion that a great deal more main sewerage requires to be made?—I am. If the ratepayers do not fight against us and make us pull down the rates, we will yet have a system of sewerage through the town. I should say that I fully agree with everything that has been said about the scarcity of water and the necessity of getting the new supply.

565. Has anything been done by the Corporation (I ask you as a member of the Corporation) with reference to the proposed water supply beyond going to the expense of getting the plan from Mr. Hawkesley?—They have gone through it thoroughly. They were compelled to go into the question. We have several other schemes laid before us from previous years and amongst them was the one alluded to yesterday. We found after the reservoir was made that Mr. Manning, after he came down, would not recommend the Government to lend us the money on it. There was another scheme to bring two or three small streams into the reservoir, but we found that the water was being used by some manufacturers who had a right and that we could not take it from them. Then the inhabitants had a meeting about the matter, and a committee from them waited on the Corporation. It was under that pressure that the Corporation at last took action, because they said that if we did not take the matter up they would memorial the Local Government Board to give a proper supply of water to the town. Then the Corporation took the matter up. They wrote to Mr. Hawkesley, and, after visiting several places in the neighbourhood which were mentioned as places from which the water might be obtained, he selected the present one as being the best to give the required high pressure for which the

Government would advance the money. He then gave as a plan which would cost £28,000. This was not correct. He gave as another at £18,000, which did not include the money for compensation—simply the expenses of the works. He could not tell the cost of the compensation. The costs were increased by the Dublin, Wicklow, and Wexford Railway, but it was ultimately carried, and the compensation which they wanted was partly granted to them and partly refused. They wanted one-fourth of the rating and that was given to them, but only on their own land. We then got Mr. Hawkenley to make out working plans, giving all the details, with the exception of one, which the Local Government Board require—the pipe lying through the town. All the streets and lanes were to be piped.

556. What size did he recommend the pipes to be?—The mains through the town were to be 16-inch and down to 6-inch, but he had to reduce that estimate to 9 inches and down to 4 inches. The Local Government Board now require the plan of the pipes through the town, and Mr. Hawkenley has engaged to make it out.

557. You are, I believe, limited as to raising money?—Yes, we are; but it is the impression with some of the ratepayers that we can levy any amount of rates that we like, but the fact is we cannot go beyond 1s. Our rates would give security for £50,000, and Mr. Hawkenley says that £24,000 would cover everything. There is a place in Wexford called the Fythe, in St. Mary's ward—most of the houses are probably valued at from £3 to £5—and the people would have the water at a cost of from 5s to 10s a year. When any disease visits Wexford no other place suffers so much as it, though it is the most open and dry part of the town. There is neither sewerage nor water there. This is the letter from Mr. Hawkenley:—

"I will immediately prepare the plan of distribution required by the Local Government Board, and forward it to them. I have already supplied the plan of the pipe laying."

558. What expense has the Corporation incurred up to the present with reference to the waterworks?—The actual bill of expenses for so far furnished to us is only £500. I should say, in rough, that amount of our expenses for so far was £700.

559. I mean including Mr. Hawkenley's charges?—It would be certainly under £2,000. Mr. Hawkenley says that the supply of water is the parent he has ever seen.

560. Have you had an analysis made by any public analyst of the water taken from the source which is proposed for the new supply?—No; but we all drank of the water and found it was pure.

561. Town Clerk.—Mr. Hawkenley said it was so good that it was not necessary to send it up to be analysed.

562. Witness.—What we got in town was so diluted with mud that it was sometimes undrinkable. The fountains are supplied from the present supply, and some of them are so completely dry that they are useless. At present we cannot give a supply of water to the military barracks. The quarter-master said that he had to throw out tubs of water in consequence of the amount of animal matter in it.

563. Will the proposed waterworks supply the military barracks?—Yes; it will supply the whole of the town with the exception of some elevated buildings outside the boundary. Mr. Hawkenley hopes to supply them also, but he is not certain of being able to do so. Every street in the town will get a supply. I would like to see the Sanitary Act better carried out here than it is. There is a great want of sewers, and of water for flushing sewers. The people come to their front doors, and throw the slops into the streets. They cannot help doing this of course, and it was sometimes very painful to me, when I was mayor, to be compelled to fine them for doing it.

572. Has it ever occurred to any members of the sanitary authority to send carts about—adopt the pail system—for the purpose of preventing that?—It was spoken of here at one time, but it was found that the cost was too heavy. I advocated tubs instead of tubs. The shopkeepers instead of putting the sweepings into the street should put them into the tubs, and then the scavengers could carry them away.

573. Don't you think it would be an advantage if the Corporation did that?—Well, it would. Sell the cart. There is also some clauses of the Towns Improvement Act that the Corporation do not enforce, such as the building clauses—compelling persons about to build to submit the plans of the houses to the town surveyor. It would be very useful if those clauses were put in force here.

574. Those clauses, as I understand, were never put in force in Wexford?—No; I brought the matter up last year, but it was allowed to drop through.

575. There are very important clauses in the Act with reference to providing services in the houses?—I do not press the matter, as I had in the first instance consulted the Council, and did not like to go against them. It would be very wise to have those clauses enforced in this town. It would be better for the landlord to make proper sanitary arrangements in the house when he was building it than to be compelled to make alterations, and do it afterwards.

576. Do you receive any opposition in your endeavours to have the building clauses of the Act enforced from any builders who were members of the Council?—They were not members of the Council who were building houses.

577. Had you in your view any particular building that was then going on?—Yes, there were some buildings being erected in New-street. I would also advocate strongly that there should be parapets for stopping the falling of shingles from the houses. It is very dangerous when there are no parapets on the houses in stormy weather. We have had cases here of very narrow escapes from being killed from falling slates.

578. That matter would be, more or less, under the control of the Corporation and the town surveyor?—It is hard sometimes to get out of an old beaten track, but once the first move is made it becomes easy enough.

Mr. MacDonnell handed in the following report:—

"There are seven miles of streets to be kept in repair within the borough. Till recently they were very much neglected. The cost of the roadway was very large and reduced means, and the water supply was under for the drainage of the surface waters. The footpaths were in a deplorable state, so that foot passengers preferred taking the road. More than a year ago we made a new road forty feet wide to take the place of an old one called the Babel. About the commencement of this year we made a covered sewer through Green-street, where an offensive odour never ceased for years; as also a new footpath. We made a footpath in John-street with gravel kerbs and screened gullies; another at Wygan-place, as also a paved sewer and other improvements, repaired kerbs, and gravelled footpaths in Upper Green-street, repaired footpaths at Redwood-road, and gravelled same, repaired same, repaired Twenty-street and William-street, and filled and gravelled the new places which had holes of water, and secured the drainage of same; repaired Summer-hill footpath, and footpath in Waterloo-road; repaired water tables in several streets; made new footpaths in Upper John-street, with kerbs; and at the lower end of Beke, and in the Filly-road. The footpath in the Duffield-road was kerbed and gravelled, which was a desideratum, as it is a leading outlet of the town. We metalled and gravelled MacDonnell-road, which was a great improvement, but we have a good thoroughfare; repaired and gravelled footpaths in the Fythe, repaired the drainage of Green-street by sinking new gullies and other improvements; we metalled two lanes in Wygan-place, five in John-street, one in Old Pond, two in Redwood-avenue, three in Green-street, two in Duffield-road, one in Waterloo-road, one in Summer-hill, and one near the College gate, two in Beke-street, one at the Belfield, and one at the foot of Glen's-street. The repairs of all the sewers, lanes, and footpaths, between the streets, &c., have been attended to. We have also set two grasses at Redwood-place; we built a tower on the parliamentary boundary in place of the windmill stony at Wexford-hill; we constructed and built King-street bridge."

"(Signed),

NICHOLAS MACDONNELL,

"Town Surveyor, Wexford."

"16th May, 1877."

Witness.
May 15, 1877.
Rev. Michael
Vesey.

The Reverend MICHAEL VESAY examined.

(Witness hands in Wheeler's map of premises recovered by the Corporation with the names of witnesses.)

579. Mr. LAWLESS.—Do you mean that this is a map of the property recovered by the Corporation from 1830 to 1835?—The leases of the Corporation and all the valuable documents were destroyed in the year 1798. The books are marked A B C.

580. Which books?—The books of the Corporation. The old books of the Corporation were destroyed in 1798, and so also were two-thirds of the leases, and very few of the valuable documents remain. There was a lease in 1774 of Coolcotts, and one in 1733 for ninety-one years, so that it expired in the year 1821.

581. It appears that Mr. Leary, the treasurer, took proceedings which resulted in securing the title of the Corporation in these lands of Coolcotts?—Yes; at the time my father became Town Clerk, the rental of the corporate property was only £100, and it is far more now.

582. It was £147 at the time of the report of the Commissioners of 1835?—In the year 1812 there were £10 or £12 taken from the rent of George Harrison Reid.

583. So I see. "At a meeting of Council on the 29th June, last" (it would be very difficult to find out what year that meant), it was resolved at that meeting, in consideration of the expenditure of a sum of money on the land by George Harrison Reid, to reduce his rent from £85 13s. to £35 yearly. The tenant had a lease for 999 years, and the Corporation at the same time considered that the expenditure of a sum of money for the improvement of the premises would be of advantage to the Corporation?—It should have been the other way, the rent should have been increased instead of decreased.

584. Mr. Leary.—There has been an increase of £117 and £68 since that.

Witness.—A lease was made in 1772 to Emilia Betts, for 999 years at £5 5s. a year, Irish, and it is now worth £100 a year or more to the lessee. It contains about thirty acres. It is part of Coolcotts. It is adjoining Coolcotts. When the Corporation on two occasions endeavoured to recover a valuable piece near that last mentioned, which was let for a term sunning under 100 years in 1786, they failed. About the year 1810 opinion of counsel was taken as regards Emilia Betts' lands. Counsel agreed that it would be needless to proceed for the reason that the charters gave the Corporation unlimited power.

Mr. Leary.—There was a commission appointed at the time he alludes to, who because the rents were so low, and that so much injustice was done to the ratepayers thereby, took the opinion of counsel.—Mr. Brewster—and he said it was useless to proceed.

585. Of course that opinion applied entirely to

allocations made before the year 1835?—Yes; it was long before that period.

586. There was a statute enacted then that prohibited alienation, and that was the reason I asked yesterday for any disposition of property made in the interval between the years 1836 to September 1840. I find but one letting made in the year 1838.

Witness.—I can give you three or four now.

587. Mr. LAWLESS.—There is one to David Robinson for ninety-one years, and the rent appears to be reasonable enough. It was made in the prohibited time, and consisted of 10s. 2s. Irish at the yearly rent of £42.

Witness.—That was a fair rent for it, with regard to the piece of ground sold for a burial-ground. I may say that it was also part of Calcutta, part of Mr. France's holding, who sold it to the Poor Law Commissioners, and gave the greater portion of the premises that he got to the Corporation, and they agreed to reduce his rents in proportion to the value of the severance.

588. Was the assent of the Lords of the Treasury given to that?—Yes.

589. Was that a portion of the Windmill Hill?—No.

590. I think it was stated yesterday that there was some portion of the Windmill Hill sold for the sum of £300.

Mr. Leary.—That was for Tail's school.

The Mayor.—That got the sanction of the Lords of the Treasury.

591. Mr. LAWLESS.—Do you know how that £300 was applied? Did it go into the borough fund?

The Mayor.—Directly it went into the borough fund; there is no mistake about that.

Mr. Leary.—That was one of the holdings I recovered for the Corporation by the search, and we were paid £3 a year for it, but when the trustees of Tail's school made application to the Corporation, it was sold for £300, which went into the borough fund.

Witness.—The old Corporation up to about the year 1800, roads, ditches and drains of the property, but the action of the Corporation in the present century was different, all the members of it, and the officers as well, did what they could to improve the state of affairs as regards the property.

592. Mr. LAWLESS.—You mean, I suppose, that the Corporation did their duty from the year 1800 to the year 1840?—Yes.

Mr. Leary.—The old Corporation previous to 1800 robbed the people.

Witness.—I find that there was a lease made about the year 1840, of three roads, at the yearly rent of 7s. 6d.

593. For what term?—I cannot say exactly; I think it was for 999 years.

Mr. JOHN HINCHY examined.

594. Mr. LAWLESS.—You, I believe, have been Mayor of Wexford?—Yes, I have been a number of years a member of the Town Council, and in the year 1870 I was elected Mayor.

595. Do you wish to give any evidence upon any subject of the present inquiry?—In my capacity of member of the Council, for the last fifteen or sixteen years, I wish to say something as regards the insufficiency of the present supply of water. It has been generally complained of, and application was made to the Corporation to have it improved in some way or other. Representation was made by some one outside the Council that water was to be got in the neighbourhood, and in the year 1870, when I presided as mayor, I asked the members and officers of the Corporation to go and examine the different sources from which it was said the supply could be got. A minute examination of all the places spoken of in the

neighbourhood of the town was then made, but none of them were found satisfactory—they all failed. Wherever there was a considerable supply of water we were prevented from touching it by some existing rights, and I came to the conclusion that all the proposed places had failed, and that we had no alternative but far to go in for a large scheme. The movements with regard to getting a better water supply did not originate with the Corporation, but with the inhabitants generally. I hold in my hand the minutes of a meeting that was held on the subject.

596. A meeting of ratepayers?—Yes. The meeting was held in the year 1874, and a deputation was appointed to wait on the Corporation and demand that a more plentiful supply of water should be provided for the people. The deputation also said that if the Corporation did not do so, the people would

Mr. John
Hinchoy.

take the matter into their own hands. A meeting of the Corporation was called for the purpose of considering with the deputation appointed by the ratepayers, and seeing what could be done.

597. By whom was the meeting of the Corporation called?—That was done on the Mayor's requisition, issued in September, 1874. Amongst the names of the gentlemen who appeared on that deputation appointed by the ratepayers, I find the name of Mr. Hickey, Collector of Customs, and I find that Mr. Chandler, who appeared before you here yesterday evening, also signed in favour of the requisition. I find this resolution passed by the Council, on the 11th September, 1874:—

"That having heard the statement of the deputation representing a meeting of ratepayers asking for an increased supply of water, that the recommendation contained in the letter of the Local Government Board, of the 26th August, 1874, in reply to a letter from the Council, be adopted, and that Mr. Hickey be employed to inspect the town and its vicinity, and to report on the best means of procuring a supply of water, and to give plans and estimates of the probable cost, and that Mr. Hickey be at once written to asking for his charges for such services. Further to the passing of the foregoing resolution, Alderman Walsh and the resolution passed by the Committee appointed by the inhabitants, in one of which it was said that the inhabitants would not be satisfied with any plan for supplying a less quantity of water than 500/600 gallons per day."

The following is a document, dated the 17th February, 1884, which was, before the waterworks came into our hands, directed to the Secretary of the then Pipe Water Corporation, signed by two highly respectable gentlemen in the town, who were very large ratepayers:—

"DEAR SIR,—Being far since then past, in connexion with a large proportion of the inhabitants, unable to obtain even the small quantity of pipe water, we have been forced to turn our attention to the means of procuring the present inadequate supply, and being prepared to select a number of such ratepayers for the consideration of the Pipe Water Corporation, we beg that you will have the goodness to call a meeting of that body at an early date."

And it is signed by the proprietor of White's Hotel and by Mr. Walker. In the year 1879 the want of water was very badly felt, when we had very limited means at our

disposal, and I had endeavoured as far as possible to remove the evil, and I may mention one particular district—Duke-street, near which there are two or three churches, and I was told by a clergyman, that the street was so filthy without some epidemic or other. By the assistance of a member of the Corporation, we constructed a very valuable sewer in that street, and afterwards when we had forced them to get the town separated from the Grand Jury, there was almost no sickness in that street. In 1879 I had prepared a scheme which I laid before the Grand Jury, and asked that the town should be separated from the barony of Forth, inasmuch as the Grand Jury refused to give much money to the town. They refused to give us any assistance so far as sewers was concerned.

598. Was it to have necessary sewers made that you made the application to the Grand Jury?—Yes. I may also say that having consulted with the magistrate that presided in the courts here, and the clergyman of the town, as well as the greater part of the inhabitants, I endeavoured to have the Towns Improvement Act adopted, and after considerable difficulty we agreed to do so by a majority of two to one. In the year 1879, a cry was got up in the town about large taxation, but I found that in many cases it was got up by people who had invested money in small tenements, and who did not like to pay taxes for supplying water to the occupiers of their houses.

599. Do you not think it important that the regulations with regard to common lodging houses should be put in force here?—I think so.

600. And also that the building clauses of the Towns Improvement Act, which require that houses should be built on a plan subject to the approval of the corporate body, should be put into operation?—I think so, because it would ensure proper sanitary precautions being taken.

601. Mr. LAWRENCE (to Mr. LOOY, treasurer).—Has there, within your recollection, been any fund distributed in charity by the Corporation?—There has not, to my recollection.

Mr. ROBERT SPARROW examined.

Mr. Robert Sparrow.

602. Mr. LAWRENCE.—Are you a member of the Corporation?—No, I am not.

603. Are you a ratepayer?—Yes.

604. Do you wish to make any statement with reference to the affairs of the Corporation?—Yes. I wish to say something with reference to the affairs of the town generally, and especially with regard to the taxes. It is the taxation I wish to refer to. In the month of September last we formed a society in Wexford called the Taxpayers Protection Society.

605. Are you the hon. secretary of that Taxpayers Protection Society?—I am. The object of forming the society was to ascertain the amount of taxation paid under the different headings, and to see how it was applied.

606. To see what value you got for the taxes you paid?—Yes, that was our object. We conceived we were taxed very highly, and that there were many of these taxes of which we could not understand the purposes for which they were levied, more particularly the poor rate.

607. I am afraid I must exclude any consideration of it as it is not a municipal tax?—Well, I just mention it; the poor rate, and also the Grand Jury cess. Our object was to look after the way in which the taxes were received, and what then was done with them, and how we could, if possible, have them reduced.

608. Will you have the kindness to confine your observations to the municipal taxes, and to leave out all reference to the poor law taxation, and the application of the rate, which goes to certain of large purposes?—That but in one of the matters to which we wish to draw your attention particularly, because we conceive we are paying a large sum of money and we get no account of how it is expended. There appears

to be about 21,000 a year paid in to Mr. Wynne, the secretary of the Grand Jury, and that is all we know or hear about it.

609. According to the accounts for this year, do you mean?—One year it was 21,000.

610. So far as I can make out it will be less next year, and last year there was paid to the Grand Jury as proportion of county cess and unexpired contracts the sum of £302 10s. 8d. I—Yes; but we do not know for what that sum of money is levied, because we have no presentation sessions belonging to the town of Wexford. We are not called on as ratepayers to look into this tax before it is assessed, and we do not know what it is for.

611. You object to the mode in which the sum of money applied for county at large purposes is ascertained?—Decidedly.

612. It is not ascertained by the Corporation?—We have asked the Corporation for an explanation about it. I asked for the accounts; Mr. O'Leary can tell you that I did; and he furnished me with a memorandum showing the amount of money paid, and then said that if I went to Mr. Wynne he could give me whatever information I wanted.

613. I think that was the only answer it was possible for Mr. O'Leary to give to you?—My only reason for referring to that matter is for the purpose of showing you that we were looking into everything and trying to get all the information we possibly could. Another matter I was to bring under your notice is the fact that there is not a single taxpayer of the town of Wexford represented at the barony of Forth. There is not a single Wexford person amongst the associated taxpayers. The sum of money which has been collected for the county cess this year is 2s. in the pound, and the barony of Forth, from which we

Witness.
May 15, 1877.
—
Mr. Robert
Sparrow.

have been separated, is paying only 1s. 10d. in the pound.

Feen Clerk.—It is more than that. It is 1s. 11d.

614. *Witness.*—We are therefore paying more in the pound than we would if we were still connected with the barony.

615. Is the sum of 1s. 10d. that you mentioned for the entire year?—It is

616. And therefore you say you are paying 1d. or 2d. in the pound more than if you were connected with the barony?—Yes; and besides that we are paying 1s. in the pound for the collection of it, whereas in the barony of Forth the charge for collection is only 10d., so that in fact we are paying 4d. in the pound more than if we were still connected with the barony.

617. In fact you complain of the arrangements made in and by the Provisional Order Act of 1873?—Yes

Mr. Fitzgibbon.—Mr. Sparrow lends you money as to the amount to be paid for the collection.

618. *Mr. LAWRENCE (to witness).*—Do you say that it is 1s. in the pound, and in the barony it is only 10d.?—Yes.

619. And that you pay for collection 2d. in the pound more than they do in the barony?—Yes, we pay 4d. in the pound more than they do. I wish to say something with respect to the water question. I should like to have it clearly understood that the cess-payers of Westford, so far as I represent them, wish in every possible way to have a proper supply of water for the town. It is their wish to encourage efforts in that direction in every way they can; we never opposed the giving of water to the town; we only opposed the extravagant expenditure that is attempted to be made in getting water.

620. As far as I have seen of the records of the Corporation they prove to me that the cess-payers have been asking for the water supply?—We are asking for the water, but we don't want to get it by the present proposed plan, because it is an extravagant one, and an enormously expensive one, and one that will swamp us with debt. The question was first started with Mr. Hawkesley who seems to be a favorite, and who seems to be worthy of being so, as he is a man of great talent. In fact, our idea is that he is too great a man for our very small means, for we only number 12,000 inhabitants. If we could get the water at a lower price we would be glad to have it, but the idea of our paying £20,000 for water when the town is already supplied (for I say that if the water was properly saved at present there would be a supply for ordinary purposes), is perfectly absurd, though we are wanting it very badly for sanitary purposes. The water we have at present is very pure. We might not have a sufficient rush of water to put out fires, but if the water was saved, and the sources at present in existence were looked after properly, we would be pretty well off. Mr. Hawkesley at first proposed to supply us with water at a cost of £14,000, and afterwards Mr. Grove, who was the mayor, said that £2,000 might be taken off that.

621. When was Mr. Hawkesley's first proposal?—It was in the year 1853 or 1864.

622. Was he consulted so far back as that?—He was.

623. And his estimate, you say, was £14,000?—Yes. He was in Waterford at the time and came over here. His offer was made somewhere about that date.

624. And did he afterwards alter his estimate to £16,000 or £18,000?—There were other estimates made; one was for £7,000 and another for £8,500, and those sums were considered so much under Mr. Hawkesley's that we threw the whole of it overboard.

625. Were you a member of the Corporation then?—No. I have never been a member of the Corporation.

626. Because you say you threw it overboard?—Of course I speak for the townspeople. Since the Corporation was changed I had nothing to do with it.

627. You say Mr. Hawkesley made that estimate of £14,000 about the year 1864?—Yes.

628. Do you object to the expense of the proposed works now?—Yes; in consequence of their cost being so much beyond what we conceive we are able to pay for.

629. Will you tell me whether the work for which Mr. Hawkesley, in 1864 or 1865, estimated the cost to be £14,000 is the same as that now contemplated to be done?—The water is the same.

630. Do you mean that the source of supply is the same?—Yes; and the running stream was the same as he at present estimated for. The water is the same, but it is not at the same level that he has estimated for. We understand that his first estimate was for bringing the water from Leenard's mill, but that now it is from a distance up the mountain.

631. Further back you meant?—Yes; and at a greater height.

632. Is the scheme somewhat more extensive than that proposed in the year 1864?—It is less extensive if you consider only the quantity of water to be obtained, but it is more extensive with regard to its being raised higher.

633. Will there be a greater power of gravitation by the plan now proposed?—Yes.

634. Was the difference between £14,000 or £18,000 and £14,000 caused by having to go farther back for the source, and by the increased price of materials?—The increase in the price of materials is not much, but the cost of going further back for the water is very considerable.

635. Is there anything else you wish to say? A good deal of what you referred to is now done by the Provisional Order of December, 1875?—Then I'll confine my observations to matters since 1875, since which we had from Mr. Hawkesley three different estimates for the water supply. We had an estimate for £16,000, and we understood there was another for £18,000 and one for £20,000, and now within the last few days we have one for £24,000.

636. Have you seen that estimate?—I have seen it in the newspapers that he now wants £24,000. I understand that the requirement has gone up to the Local Government Board only for £20,000, but now it is to be tried to get £24,000 or £25,000 to carry the works out. We as taxpayers consider that we must look into this matter and see how this money is to be repaid, and also in fact to see what we do pay. We get neither estimate nor specification laid before us and we are quite at a loss to know in what way the money is expended. We want water and are willing to pay a fair price for it, but we don't want to pay so much as they wish to expend on it.

637. But there is where the Provisional Order comes in. The Corporation have got powers under it to levy rates—on a domestic water rate of 1s. in the pound, and on a public water rate of 6d. Beyond that they cannot possibly go?—Not unless they get another Act of Parliament.

638. But under their present powers they cannot go beyond the rates I have mentioned. These are the powers of the Corporation so far as rating is concerned, and beyond that they cannot go?—But these rates I think cannot possibly amount to the sum of money required to pay the interest on the loan.

639. If it does not the Commissioners won't give the money?—That I am not certain of, and it is one of the reasons why we are so anxious to lay the particulars of the matter before you, because we conceive that the Public Works Commissioners won't grant the money unless they see they have fair security for it. If it is sufficient they are satisfied. We don't make any objection to having the water and don't object to the rates; what we want to do is to make sure that we won't hereafter be taxed to a larger amount to pay the money.

640. Under the present powers they cannot impose a larger tax than a domestic rate of 1s. and a public rate of 6d. in the pound?—These rates won't give more than £200 a year. I have made a calculation and know that.

Witnesses.
May 15, 1877.
Mr. Robert
Squires.

641. If that be your opinion the Corporation cannot have been very extravagant, because they might easily have asked for greater power?—I am not saying anything against the Corporation; but I do not see why we should go into debt then we are not able to pay.

642. That will have to be taken into consideration when considering the amount of money they are to borrow?—That money won't be paid off until this rate is struck, and I hope the rate won't be struck simply for that purpose.

643. I have been just now handed a copy of the *Wexford Constitution* of the 5th May, setting out in full a letter signed by you, written on behalf of the *Wexford Taxpayers' Protection Society*, to the *Local Government Board*. Have you seen the report, and did you write and send the letter there set out to the *Local Government Board*?—Yes, the report is quite correct. I wrote and sent that letter.

644. The *Town Clerk*—The *Local Government Board* sent it to the Corporation.

645. Mr. LAMONT.—Now I must say that there are very important and serious charges contained in that letter. I think it would be fair for you to verify these, and if you cannot do so, to withdraw them. You say, for instance, "There is no security to give for this sum of £20,000" (proposed to be borrowed by the Corporation) "except a heavy tax on your already over-taxed holdings;" and you also say, "We hope to show that those statements now made are correct." Do you mean before this Committee?—Yes.

646. Did you receive any answer from the *Local Government Board* to that letter?—No.

647. You conclude your letter by saying, "We hope to show that those statements made now are correct." Now here is one of them:—

"We have good reason to believe a considerable portion of this money applied for, will be required by the Corporation to pay debts already incurred by them, as they pledged or mortgaged all their property, rents, and taxes, for years to come, for moneys taken up and spent on schemes that we taxpayers derive no benefit from."

That appears to be a very serious charge. Can you verify it?—Part of that you have verified already. There is £2,000 laid out already.

648. There is, as I understand, a liability of £2,000 already incurred?—Yes, and that is what is meant by this statement.

649. Is that all that you meant to express by this charge against the Corporation, by saying that they mortgaged or pledged their property, &c., for moneys spent on schemes from which the taxpayers derived no benefit?—And you will find there is property mortgaged—any documents in the possession of the treasurer, belonging to the Corporation, at present show that it had been pledged to raise £400 and was afterwards pledged to raise £1,000.

650. Are those the only two sums that you can point out as having been raised by the Corporation on a mortgage of their property, because it is a very grave charge to send against the Corporation to the *Local Government Board*, and you write—

"We have good reason to believe a considerable portion of this money applied for, will be required by the Corporation to pay debts already incurred by them, as they pledged or mortgaged all their property, rents, and taxes, for years to come, for moneys taken up and spent on schemes that we taxpayers derive no benefit from."

That is a deliberate charge of an intention to misapply the money borrowed. Can you substantiate that charge?—I did not say they would apply it to any illegal purpose.

651. Their applying the money to any purpose other than that for which it was borrowed would be applying it to an illegal purpose. Every one of the members of the Corporation would be individually and personally liable for it?—This money I have mentioned has been expended, or is to be paid out of it, in the first instance.

652. The expense they incurred in parliamentary matters about the waterworks of course must be paid,

and you admit it is necessary to set out by incurring some parliamentary expenses. I fail to see on what grounds your apprehensions rest, and on what grounds you brought this very serious charge against the Corporation. I am perfectly willing to receive any evidence in support of the charges in your letter. If you can show me that there are any well-grounded apprehensions of the Corporation getting this £20,000 for the waterworks for anything else, I'll have it taken down and sent in with the other evidence. Can you now address any?—We want to have a thorough investigation of every item. We get no accounts with reference to this money, and we don't know anything about it, though we have asked Mr. O'Leary about it.

653. When the Corporation get the money they will, I presume, expend the necessary portion of it in paying the expenses of obtaining the *Provisional Order*, and having it confirmed, but they will have to account for every shilling of it?—We have asked for several explanations and we cannot get them; that is one of the reasons for our making those imputations.

654. I do not think that justifies the imputation. If you had said "We, the taxpayers of Wexford, are not satisfied because we required the Corporation to furnish us with explanations, which explanations they would not give; then the *Local Government Board* might have acted in a very different way, instead of sending down this letter of yours to the Corporation of Wexford, in doing which, I think, if I am at liberty to express my opinion, they acted very properly, because it contained a very serious charge against the Corporation. I agree with you in saying that the subject is a very important one. The expenditure of £25,000 on works which you admit to be of great importance to the town, is a subject of very great importance, and I do not suppose the Corporation will object to your looking very closely into it?—It was not my intention to impute anything dishonest to the Corporation, but only wished to say that they are not acting to us in a straightforward manner, while at the same time we are obliged to pay the money.

655. Did you give evidence or were you examined before the *Local Government Inspector* when he held the inquiry here?—I was not exactly examined before him, but we employed a solicitor to represent us.

656. Were you represented at the inquiry?—Yes.

657. Were the ratepayers' association represented or you individually?—It was a number of the ratepayers who were represented by a solicitor—a number of us who agreed to employ a solicitor.

658. Were there any witnesses examined? Who was the officer that came down here? Was it Mr. Robinson?—Yes.

659. Were there any witnesses examined on the part of those gentlemen who employed the solicitor?—Yes.

660. Were you one of them?—Yes.

661. Do you put forward the same views to Mr. Robinson that you have expressed to me?—The pith of them is just the same. Our object was to explain that we were not against having a proper supply of water, but only against paying too much for it.

662. Did you know at the time that it was contemplated that the Corporation should have power of levying a 1s. rate for domestic and 6d. for public purposes?—The matter was discussed; it was said at one time that 3d. was sufficient instead of 6d.

663. Was it not after that discussion that the *Local Government Board* passed the *Provisional Order* fixing the rates at 1s. and 6d.?—I should suppose so. I do not know exactly what was the result at that time.

664. Did it not result in the *Provisional Order* of 2nd December, 1875?—I know it was discussed at all events.

665. Is there any other matter to which you wish to refer?—I do not think there is. It was suggested by some of our people that we should ask to be allowed to cross-examine the witnesses, but the investigation now made has been of that fair kind that I do not think it is necessary to do so.

WEXFORD.

May 15, 1875.

Mr. Joseph Walsh.

Mr. JOSEPH WALSH examined.

660. Mr. LAWLESS.—You are the mayor of Wexford?—Yes. I want to correct some of the mistakes made by Mr. Sparrow with regard to the county cess since Wexford was separated from the county; in the year 1874 the rate in lieu of county cess levied by us was only 1s. 6d. in the pound, and the county cess for that year levied in the barony of Forth was 1s. 10½d., and in 1875 the town cess was 2s., and the barony of Forth was 2s. In 1876 the barony of Forth was about 1s. 10d. or a little over, and in Wexford the cess was 2s. There is another matter I wish to refer to. Since we have been made into a separate barony several instances occurred in which the Grand Jury presented for malicious injuries, and the town is not represented on the Grand Jury.

667. Do you mean for malicious injuries done within the municipal limits?—Yes, and levied by the Grand Jury, and we have no representation. This might turn out a very serious matter if any large transaction occurred.

668. Yes, I quite see the meaning of that. Your complaint is that the townspeople are excluded from all representation on the Grand Jury?—Yes, and we have to pay our contribution towards keeping up every mile-road in the county. With regard to the water-works, Mr. Sparrow said he appeared for some ratepayers before Mr. Robinson. I was one of the ratepayers who were joined with him then; at present he represents the ratepayers' association, which only includes a very small portion of the rating in Wexford.

669. What case did you wish to present to Mr. Robinson, or desire to have made before him?—My object was to prevent the rates from being any higher than they are at present. Not to have them over 2s., and we succeeded in doing so. The expenses incurred by the Corporation, for which accounts have been sent in, amount to £597 17s. 8d. which includes everything that Mr. Sparrow referred to (and unless he be blind he must have seen it in the papers) except our solicitor's account, a small account for printing, Mr. Ryan, the valuer's account, and Mr. Hawley's account.

670. Do you mean to say that the preliminary expenses will exceed £2,000?—I do not think they will.

671. Have you got any account from Mr. Hawley?—No. There was never any estimate from Hawley except the one of £16,500.

672. I was going to ask you about that?—I never heard of any other. That was for laying the pipes through all the town with the exception of a few unauthorised lines, and any further expense would be for the purpose of purchasing land, and the parliamentary expenses that we have gone to.

673. How is the cost of the land and water rights to be ascertained?—By arbitration. They got Mr. Fishbourne down to arbitrate. In pursuance of a resolution of the Corporation the other day we simply asked the Local Government Board to give us an advance of £25,000 to complete the thing instead of £20,000 on our security. We have security of 1s. 6d. which would give security for £24,000, without touching the rates of the town.

Mr. Sparrow.—I should like to see that calculation.

674. Mr. LAWLESS (to Witness).—Do you propose to get £25,000 to cover every expense?—In fact I take the meaning of the letter of the Local Government Board to mean this, "You want £20,000, but it won't cover the expense, and you must get more." We cannot charge more than 1s. 6d. in the pound. We may safely leave it to the Board of Works. I wish they would give us £50,000 on the same security.

675. With reference to the property that was sold to the trustees of Tait's Charity, was there ever any charity administered here by the Corporation?—I was not in the Corporation at the time, but Abraham Green can tell you about it. There was a charity left by a gentleman named Tait, and there was a sum of money left in the funds to establish a school. The matter came before the Lord Chancellor in the year 1865 or 1867, and he appointed a trustee of administering it.

676. Was it administered by the Corporation?—Never by this Corporation.

677. Was not this charity administered by the old Corporation?

Mr. Sparrow.—I was the solicitor to the present Corporation when the question arose as to who should be the trustee.

678. Mr. LAWLESS (to Mr. Ryan).—Had the charity passed out of the hands of the Corporation then?—Yes.

Mr. O'Leary.

Mr. O'LEARY, Town Clerk, re-examined.

679. Mr. LAWLESS.—What do you wish to say Mr. O'Leary?—Mr. Sparrow said that no one could give him information as to the proportion of Grand Jury cess levied in the town, and I make it my business every year to examine the abstract of account, and see that it is correct, which I do by simply employing the rule of three.

680. What abstract do you mean?—I mean the Grand Jury abstract.

681. That sent to you by Mr. Wynne?—Yes. I

have no other means of knowing anything about it, and every other ratepayer in the county has the same.

682. Do you satisfy yourself that the amount claimed by the Grand Jury every year is the just proportion of county at large charges payable by the town?—Yes.

683. Did you ever refuse to give any information to Mr. Sparrow on this subject at any time?—No, indeed.

Mr. Sparrow.—He had not it in his power to give it to me, because Mr. Wynne had not given it to him.

Mr. Joseph Walsh.

Mr. JAMES WALSH examined.

684. Mr. LAWLESS.—Are you the secretary of the Harbour Commissioners?—Yes.

685. Do the Harbour Commissioners regulate and control the port and harbour of Wexford?—Yes.

686. Do they receive all tolls and dues of every kind payable for vessels entering the port?—Yes.

687. Do they pay any portion of that to the Corporation of Wexford?—No; they do not.

688. Does the Corporation receive any toll, or due, or fee of any kind from the shipping coming into the harbour of Wexford?—No.

689. Do the Harbour Commissioners undertake the care or management of any portion of the quays or streets of the town of Wexford?—Yes; they undertake the care and management of the quays and the

streets leading to the quays, from one extreme of King's-street to the other; they maintain them, keep the sewers in order and light them.

690. At their own expense?—Yes; out of their own funds.

691. Not at the expense of the Corporation or the town?—They receive no money or contribution towards these expenses from the town.

692. Do you know whether or not these quays or streets are, as property, vested in the Harbour Commissioners or in the Corporation?—In the Harbour Commissioners, under the Wexford Harbour Act of 1874, and they had for years previous been vested in them—the old Acts were repealed in 1874, but they have power to arrange with the Corporation to take them off their hands.

Mr. BENJAMIN HUGHES examined.

Witness.
Jan 11, 1877.

Mr. Benjamin
Hughes.

693. Mr. LAWLESS.—Do you wish to make any statement?—Yes; I wish to say that I was present when the first claim for malicious injuries was heard after the separation of the town from the barony.

Previous to that, the applications went before the barony sessions, and after the separation the barony still continued to hear evidence and presentments though the borough was not represented.

Mr. JOHN HURTON recalled.

Mr. John
Hurton.

694. Mr. LAWLESS.—Were you examined before Mr. Robinson at the inquiry in 1855?—I was. I wish to say with regard to the fines, more than £250 in fines was imposed under the Towns Improvement Act during the year, which used to go to the Corporation, and which they applied for the benefit of the

town, but at the present time we find that one-half of the three pence is sent away from us altogether.

695. When was that system discontinued?—In March, 1870. I wish to say that I object to that system; it is a great loss to a poor town like this.

Mr. JOHN GARRICK examined.

Mr. John
Garrick.

696. Mr. LAWLESS.—Are you a member of the Corporation?—Yes.

697. Have you been mayor of Wexford?—Yes; I have been mayor seven times between the years 1854 and 1875.

698. Do you wish to make any statement with reference to any matter the subject of this inquiry to-day?—Yes. The imposition has been made on the public mind that the Corporation has not possessed that economy which it would be their duty to do as trustees of the public funds. In reference to that I have to say that the mayor of Wexford has always acted without any salary, has given his time, and made many sacrifices for the welfare of the town. Within the last six years one of the mayor's sergeants, who had a salary of £30 a year, died, and with a view of economizing I did not fill up his place, and it has not been filled up since, and by that means, from that time to this, saved £150. In the year 1854 I and some other gentlemen constituted ourselves a committee for the purpose of ascertaining what lands, in the vicinity of Wexford, formerly belonged to the borough of Wexford, and might be got back again. Here is my report on the subject, dated October, 1847. (Hands in report referred to). I may now say that I was one of the persons who took up the question of water supply. The doctor prohibited the use of some of the water because some matter percolated from the churchyard into the wells.

699. How long ago?—As far back as 1854. There are many wells in the town, and many of them are in the immediate vicinity of the churchyards. We used our best exertions to get a supply of water. Mr. Horsley was down about the Waterford waterworks, and I said we were anxious to get a supply of water here, and would like to have his opinion. He said he would come over, and he did come. I may inform you that the military authorities said the regiment must be removed from the town altogether if there was not a better supply of water to be obtained. Our action was taken in accordance with the wishes of the inhabitants, for the preservation of the public health, and for the purpose of promoting the welfare of the town. Up to 1874 the lowest sum charged to any person for using the water was 30s.

700. Do you mean 30s. per year?—Yes. I may read you the following minute of the special meeting of the Corporation on the 10th February, 1854.

701. It is not a meeting of the Municipal Corporation?—No; it is a meeting of the Pipe-water Corporation:—

"Resolved, That the supply of water that we have now, being entirely sufficient to supply the houses already paying for it, any diversion of the funds or reduction of the rates at present would deprive us of the power of increasing the supply hereafter, and giving water to a larger number of inhabitants, and at lower rates, and that measures be taken to ascertain how far it is possible to supply such a deficiency of water;" and "Resolved, That in order to afford every person an opportunity of taking the pipe-water, that the rates from December, 1854, be struck on houses under £20 of 10s., and above £20 of 12s.; and houses and businesses charged as above."

I may also read this resolution:—

"At a meeting of committee, held in the mayor's office, on Wednesday, 9th September, 1854, Alderman Blaker in the chair—It was unanimously agreed to by the meeting that the last account be adopted by the Corporation to procure a supply of water for the town that will suit its requirements, and that money be borrowed from the Board of Works, on the most suitable terms, to carry out the same. The above proposition to be laid before the Council, at the meeting on Friday, by our chairman."

702. Can you state whether it was the intention of the Corporation to apply this money which they seek to borrow *sole* for the waterworks, or whether they intend to apply it for the purpose of paying off old debts?—Such an idea did not enter into the head of anyone. It was to be applied *sole* for the waterworks.

703. Are you satisfied with the way in which the sanitary affairs of the town are regulated?—I am not. I think we want another man as sub-sanitary officer. There are a great many poor people living in the vicinity of the town, and their places cannot be properly looked after from day to day by one individual. I would like very much that the Lodging House Classes Act should be enforced in the town. I think you will find it very necessary that that should be done.

(The town surveyor then produced a map, which showed that there was four miles and two furlongs of main sewers already in existence in the town, and five furlongs at present in progress of being made at the present time.)

Mr. O'LEARY (Town Clerk) recalled.

Mr. O'Leary.

704. Mr. LAWLESS.—Were there any leases made by the old Corporation whilst the temporary Act of the 5 & 7 Wm. IV., cap. 105, forbidding alienation of their property by the Corporation, mentioned in the schedule to that Act, which Wexford is, and the several Acts continuing it were in force; that is between the 30th August, 1833, and the 30th September, 1840?—Yes; there were three, of which I produce the counterpart originals now in possession of the Corporation—No. 1, a lease, dated the 20th July,

1837, made by the Corporation to Richard Leonard, of 1s. 0s. 10s., Irish measure, for ninety-nine years, at the yearly rent of £5 10s.; No. 2, a lease, dated 31st July, 1837, by the Corporation, to John Mullock, of 1s. 0s. 10s., Irish, for ninety-nine years, at the yearly rent of £5 10s.; and No. 3, a lease dated the 10th December, 1839, by the Corporation to David Robinson, for ninety-nine years, at the yearly rent of £42.

The inquiry then terminated.

SLIGO.—MAY 18, 1877.

(Before Mr. CONNERY, Chairman of the Commission.)

MR. JAMES M'KIM EXAMINED.

1. CHAIRMAN.—Are you the town clerk of Sligo?—I am.

2. How long have you held that office?—Eleven and a half years.

3. Sligo, I believe, is one of the ten corporate towns whose old charters were preserved under the Act of 3rd and 4th Vic. cap. 108—the Municipal Corporations Act?—Yes.

4. Have you adopted the Towns Improvement Act?—No.

5. What local Acts have been passed for Sligo?—The Sligo Borough Improvement Act, 1869.

6. Is that the only Act, besides the Municipal Corporations Act, under which you are now governed?—Yes.

7. What are your rating powers under the Act of 1869?—4s. 6d. in the pound. Under the 149th section of that Act we can levy rates not exceeding 4s. 6d., including the old 3s. borough rate.

8. Can you levy up to 4s. 6d. under this Act?—Yes; it is a general purposes rate and an improvement rate combined. Perhaps I may mention that previous to that there were other rates.

9. What rating powers had you?—Nothing but the 3s. rate. The Town and Harbour Commissioners levied 1s. 10d. for the year, and the Grand Jury levied their own twice a year—it varied from 1s. 4d. to 1s. 5d. each levy.

10. Those Grand Jury cesses were, I presume, levied on assessments?—Quite so.

11. And under what Act were the Town and Harbour Commissioners incorporated with rating power?—The Town and Harbour Act of 1803.

12. Did the Sligo Borough Improvement Act abolish the rating powers of the Town and Harbour Commissioners under the previous Act and those of the Grand Jury?—Yes.

13. Were the Town and Harbour Commissioners, or a joint body, abolished by the Act of 1869?—Yes.

14. Was not a Board of Harbour Commissioners constituted by that Act?—They were.

15. Is the Corporation necessarily represented on the Harbour Board?—Yes.

16. What is the representation?—There are two members appointed by the Corporation, and the mayor is an ex officio member besides.

17. As a matter of fact there are, I see, ten members of the Corporation members of the Harbour Board?—Yes.

18. But that is, I presume, purely accidental?—Yes.

19. Has the Corporation anything to do with the tolls and dues of the harbour, either with their collection or expenditure?—No.

20. Was that 1s. 10d. in the pound levied by the Town and Harbour Commissioners for the benefit of the town generally?—Yes, generally for lighting and cleansing.

21. That was in the nature of an improvement rate?—Yes.

22. What rates have you levied since 1869?—Up to the full amount.

23. This Act of 1869, I believe, also gave you powers to purchase all tolls, fees, and other rights of Mr. Owen Wynne, whose forefathers were the old patrons of the borough, in the fairs and markets, including the butter market?—Yes.

24. But those powers were not to be exercised after the 1st July, 1872?—No; the Corporation ceased to have the power to purchase the tolls of the markets after 1872.

25. I gather from the report of the Municipal Commissioners of 1835, that all the tolls and dues leviable in the town were the private property of the then Mr.

Owen Wynne, of whom the present Mr. Wynne is the representative?—Yes.

26. Have those powers been exercised? Have the Corporation purchased any of those rights from Mr. Wynne?—They have not.

27. Under the Act, the Corporation had, I see, power to establish slaughter-houses and markets of their own—have they done so?—No.

28. This Act also gives the Corporation power to borrow the sum of £50,000, of which £25,000 was to be expended on waterworks, and £25,000 was applicable to the purchasing of those rights and other improvements?—Yes.

29. Was any of this money borrowed?—No.

30. How was that?—We applied for it, but did not get it.

31. How was it you failed to get it?—They would not give it.

32. To whom was the application made?—To the Public Works Loan Commissioners, and they refused to sanction the granting of the loan for waterworks under the limiting clauses of the Act.

33. ALDERMAN KIDG.—The Public Works Loan Commissioners were quite disposed to lend the money at the time, but I believe their objection was that there was no special rate for the water supply, and that the interest upon the borrowed money should be taken out of the general rate, and the Commissioners thought the margin left for the payment of the interest was rather low—there was a good deal of calculation based on what would be produced by the sale of water, the receipts of the markets, and what would be saved by economy in the management of the rates.

34. CHAIRMAN.—In short, I suppose, the Commissioners did not consider the security sufficiently good?—ALDERMAN KIDG.—I suppose that was it.

35. CHAIRMAN.—The 168th section of the Sligo Borough Improvement Act, and following clauses are, I see, those applicable to the borrowing powers of the Corporation—

“The Corporation from time to time may borrow money at interest for purposes of that Act, not exceeding in the whole the sum of £50,000, and not exceeding for the purposes of waterworks above the sum of £25,000, or portion of the said sum of £50,000, and may mortgage the borough fund as a security for the repayment thereof.”

The 172nd section says—

“The Corporation shall not borrow any money under the powers of this Act, except with the previous approval of the Town Council by a resolution if, seven or at least than thirteen members shall have voted.”

Did you get a resolution passed in favour of borrowing the money supported by thirteen members?—Oh, yes.

36. Then there was no difficulty on the part of the Corporation?—There was not.

37. How much did you intend to borrow?—£35,000.

38. That was £10,000 more than you could borrow unless you established waterworks?—It was with the view of establishing waterworks, and building markets.

39. The Corporation then, I presume, passed a resolution to borrow £35,000, and the Public Works Loan Commissioners declined to grant the money not being satisfied with the security?—Yes.

40. What year was that?—Immediately after the passing of the Act, in 1870—71, instructions were immediately given to the solicitor.

41. Of course you wanted to borrow money to pay off the expenses of the Act?—Yes.

42. How were those costs to be paid?—Two-thirds of the costs of the Act were to be paid by the Corporation, and one-third by the Harbour Commissioners.

43. Have the two-thirds of the costs of the Act been paid?—They were. We had to borrow money

on debentures for the purpose of paying the costs of the Act.

44. Have the Harbour Commissioners paid their out-third?—They have.

45. What authority had you for borrowing the money you did? Had you any authority beyond the general borrowing powers of this Act?—No.

46. How much did you borrow?—The costs of the Act amounted in round numbers to about £3,000.

47. What have you borrowed?—We borrowed that sum, and in addition other sums.

48. You seem to have borrowed last year, £7,150?—Quite so. The total amount we have borrowed is £11,546. Part of that was borrowed previous to the passing of the Act, 1869.

49. Out of the money you borrowed since, you say, you paid the costs of the Act, but have you exercised any of the other powers given to you by the Act in the expenditure of capital?—No.

50. What are your revenues besides this 4s. 6d. rate?—Rents.

51. I saw when looking over the report of the Municipal Commissioners of 1837, that at the time they reported on Sligo, in 1833, you had only a very small landed property, nineteen and a half acres, Irish, formerly a cemetery. Is that still the property of the Corporation?—Yes.

52. You had also about one rood, the site of a pond, and then occupied by cottages and producing about £10 a year. Do you receive those rents still?—We do.

53. Do they still produce that rent of £10?—It is now £9.4s. 6d., English currency.

54. The other property at that time produced £40, Irish currency. What does it produce now?—£60 16s. 1d., English. In 1848, I should say, that the Lord Lieutenant authorized the Corporation to make over to the people, for the purposes of making a cemetery, a portion of those lands. The cemetery was very much required at the time.

55. How much of the nineteen and a half acres was appropriated for the purposes of a cemetery?—Well, I am informed about five and a half acres.

56. Then there are about fourteen acres productive?—Yes, and they produce about £68 16s. 1d.

57. Is this property let to more than one individual?—Oh, yes, to more than one.

58. How many?—I think about four. (Map produced, showing the position of the lands, which contain two-and-a-half and a half statute acres, which are let to tenants, and five and a half statute acres in the cemetery. The Ordnance valuation is £48 9s., and the lands are let to tenants, producing rents amounting to £60 16s. 1d.)

59. Have those lands been let on lease since the passing of the Act of 1840?—I don't think there are any leases at all.

60. Are they all annual lettings?—They are let by the year—all yearly tenancies.

61. Are any of them let to members of the Corporation?—Yes.

62. There are, I see, nine lots. Which of them are let to members of the Corporation?—Nos. 1 and 7—only two lots—and the sub-sanitary officer has got a small holding, which he had before he was appointed. No. 1 lot is let to Alderman Tighe, and contains 3a. 1a., Ordnance valuation £5 4s., rent £7.5s. 6d.

63. Was that lot to him when he was a member of the Corporation?—I am not aware. No. 7 lot is let to Mr. William A. Woods, a member of the Corporation, contains 4a. 10r., Ordnance valuation £9 15s., rent £14 19s. 6d.

64. Who in the sub-sanitary officer?—William Fenney, who holds lot No. 8, containing 2a. 1a. 30r., Ordnance valuation £3 10s., rent £4 10s. 3d. He held that long before he was appointed.

65. When any of those lots fall vacant how are they let? Is it by public advertisement?—In 1840 all the lands were advertised by order of the Corporation.

66. Are some of your tenants persons who took up

the lots from the tenants to whom they were let in 1840?—Yes, and some of the tenants are continuing tenants since 1840.

67. When any of the lots have fallen into the hands of the Corporation since 1840, what course of proceeding has been adopted? Have they been put up to auction?—No; the people who had the land let it to another tenant, with the approval of the Corporation, which is given if they consider the incoming tenant as good as the outgoing tenant, they allow them to do so.

68. Have they inquired as to how much the outgoing tenants got from the incoming tenants for surrendering their lot?—Well, I don't think they interfered. Probably if the Corporation did, the outgoing tenants would not give up the land. If the incoming tenant is solvent, they make no objection.

69. Have any of those lands been let by the Corporation *per se* since 1840?—No, not since I have been town clerk.

70. Then they are all either old tenants or tenants substituted by the original lessees, with the sanction of the Corporation?—Yes.

71. You say you had a valuation of those lands? When was that valuation made? Was it before 1840?—Not before 1840, but it was long before my time. Probably the lands were vacant, and they advertised them. There was a re-valuation of the lands in 1853 by Mr. Yeates, for the information of the Corporation.

72. What was the valuation then?—It was £8 15s. per Irish acre. I also find by the book that the tenants who were then in possession were to get the preference if desirous of taking them on at that valuation.

73. Then are they let substantially at the valuation made in 1853?—Yes.

74. So that you got an increase of rent upon the public houses of 1849?—Yes; in 1852 they were let at an average of £3 5s. per Irish acre, and now they produce £3 15s. 6d. per Irish acre. The Ordnance valuation of the five and a half acres given for the cemetery is £11 7s.

75. That includes, I suppose, some buildings?—Yes, the cottage greenhouse only. There is no mortuary chapel.

76. Is that all the property belonging to the Corporation except the town-hall?—Yes.

77. And the cottage property, which produces £9 4s. 6d.?—Quite so.

78. When was your first 4s. 6d. rate levied?—In the year 1870, the year after the passing of this Act.

79. Have you since that time maintained all the streets in the town?—Yes.

80. And do you maintain the roads in the rural part of the borough?—We do.

81. First of all, I see this Act altered the boundary of the borough?—Yes, from the old municipal boundary to the Parliamentary boundary.

82. I understood the old municipal boundary was very limited?—It was.

83. Can you tell me what it was? May I take it from 27s. that the Parliamentary borough was 3,001 acres, of which 407 acres were in the town? Were the old municipal boundaries limited to those 407 acres?—Yes.

84. Then by the Act of 1860 you got rating powers over the difference in acreage between the old municipal and the Parliamentary boundaries?—Yes.

85. Since that time have all the roads and streets been kept in repair within the enlarged boundaries by the Corporation?—Yes.

86. Now, do you light beyond the old municipal boundaries?—We light only within the old municipal limits.

87. Is there, as regards the rating, a difference between the municipal and Parliamentary areas?—There is. Land outside the municipal area is rated at 2s. 3d. in the pound, and houses at 2s. 6d.

88. I see the limit of your rating power is 4s. 6d. until you establish waterworks, and then you can raise it to 5s., including the 3d. borough rate?—Yes.

5200.
May 15, 1877.
Mr. James
McGinn.

89. How do you distinguish between the old municipal limits and the new part as regards rating?

Alderman Kidd.—We can levy on houses 100 yards beyond the gas-lamps 2s. 6d. in the pound, and lands are the same.

90. CHAIRMAN.—By the 3rd sub-section of the 147th clause, the rate is limited to 2s. 6d. in the pound upon houses at a distance exceeding 200 yards from any public gas-lamp; or 100 yards from any main-pipe for the purpose of supplying water, with this proviso, that so long as it is limited to a 2s. 6d. rate, the Corporation are not bound to supply gas or water to any such house?

Witness.—Yes.

91. There has been, I assume, no 3d. borough rate levied since 1869, the 4s. 6d. central all?—Yes.

92. First of all, what is your entire rateable valuation?—Our rateable value is £18,100 8s.

93. Is it not a very small proportion of the property which pays only half rates?—Yes.

94. What is the rateable value of the property which pays full rates?—£13,639 13s.

95. How much is the rateable value of lands upon which you levy only a rate of 2s. 6d. in the pound?—£3,461 17s.

96. And the valuation of houses that pay the half rate of 2s. 6d. is how much?—£837 13s.

97. Upon these several valuations how much does your entire rate under the Act of 1869 amount to?—In 1875 it amounted to £3,540 4s. 4d.

98. That was the last rate audited by the Local Government Board auditor?—Yes. Our year ended in October, 1875, and it was audited in September, 1876.

99. Your rates, including arrears from previous year, then amounted to £3,638 8s. 8d. to be collected?—Yes.

100. Out of that there was, I see, collected and lodged in the bank £3,310 17s. 3d.?—Yes.

101. You also, I see, collected and lodged £23, "sanitary rate." What rate is that?—That is a 3d. sanitary rate for sanitary purposes under the Public Health Act.

102. Is that in addition to the 4s. 6d. rate?—The 4s. 6d. is a small portion of the rate. In addition to the 4s. 6d. rate we have laid, since the passing of the Sanitary Act of 1866, two sanitary rates—one 6d. rate previous to the passing of the Act of 1869, and one 3d. rate since, in the year 1875. In this audited account there is £23 of the rate laid in 1875 brought into account.

103. Is that rate all collected by this time?—No; there is a sum outstanding yet of £10 which has not been collected.

104. Then, I see, you received on debenture mortgages £7,150 in that year. What was that for?—Partly to pay the expenses of the Act of Parliament.

105. What is the meaning of "£293 2s. 10d., proceeds of bill discounted by bank"?—That was a running bill. Mr. O'Brien, the treasurer, will explain that.

106. You received also, I see, £72 13s. 3d. for rents, £145 13s. 6d. for the letting of apartments in the town hall, and £36 19s. 9d. for petty sessions fines?—Yes.

107. Are you the petty sessions clerk as well as town clerk?—Yes. I receive those fines in the first instance, I then pay portion to the Corporation, get their receipt, and send them forward to the Registrar in Dublin.

108. The sum of "£13 19s. 8d., dog licenses," is paid, I presume, direct from the office in Dublin. That, with the sums I have enumerated, and the balance in the treasurer's hands of £36 19s. 9d. (viz., £24 16s. 8d. upon the town hall account, and £12 3s. 4d. upon the sanitary account), made up your total account for the year to £11,097 10s. 5d.?—Yes.

109. You started that year, did you not, owing the Provincial Bank on overdrawn account £647 14s. 11d., irrespective of any bills discounted?—Yes.

110. The first item of "Salaries—Mayors for 1868, 1869, 1870, 1871, 1872, and 1873"—wants a little explanation. How did you come to let your Mayor's salaries run so much into arrears?—We had no money to pay them.

111. But this particular salary has not been once paid since 1865 until 1875, and yet you have been levying rates since 1870?—When you go on to our payments you will see they had something to do with it.

112. Had you very heavy debts to pay?—We had.

113. Is the next sum—"Town clerk, treasurer and accountant, and borough surveyor, £397"—all for more than one year's salaries?—Oh, no.

114. You kept those salaries then paid up?—Yes.

115. What are the salaries of those officers?—The town clerk's salary is £90, and the treasurer and accountant's salary was then £60.

116. What is it now?—£80.

117. What is the borough surveyor's salary?—£80.

118. Are the salaries of the constables and watchmen included in that £397?—Yes; they got 12s. a week each.

119. What other officers are there?—That is all, with the exception of the collector.

120. But the salaries of those officers for one year do not come to £397?—There may have been a balance from the former year. They were regularly paid, but it is the actual payments within the year the auditor looks into, not the accounts from year to year.

121. Who looks after the scavenging of the streets? Is the cost of that included?—There is a contract for that.

122. Are your public health officers included in that sum of £397?—They are not. You will see that they are included under the head of sanitary expenses.

123. An executive sanitary officer did you receive an additional salary?—I did, £30.

124. Do any of those officers you have enumerated hold any office under the Sanitary Act?—No.

125. What is your collector's poundage?—Sixpence in the pound.

126. Does he collect anything besides the rates? Does he receive the rents?—No. The rents are paid to the treasurer direct.

127. Is he paid for that by salary or by poundage?—By poundage.

128. Then there is I find "collector's poundage," including balance due in 1874, £118 13s. 4d.; printing, advertising and stationery, £22 5s. 6d.; rent and taxes, £1 18s. 6d.; and office expenses, £12 6s. 3d.?—Yes.

129. The next entry is "payment to Sirgo Grand Jury, £821 5s. 8d." What is that for?—That is for general expenses and the repair of the county roads outside the Parliamentary boundary throughout all the county.

130. That sum included of course the goal and the Lamentable Asylums?—Yes, and the petty-sessions court-house.

131. I take it for granted that is paid as it accrues due every year?—Yes.

132. So that there are no arrears in connection with the item?—No. It is for one year only and paid by two payments in each year.

133. Then there is "interest on debt, £362 3s. 9d." That is interest on mortgages, I presume, as distinguished from bank debt?—Yes.

134. I see there was "interest on bills and bank account, £75 8s. 10d." Has the auditor given you any intimation you cannot legally pay interest on overdrawn accounts in the bank?—No.

135. Then there seems to have been a small sum of 15s. 3d., rate paid in error and refunded; and then comes "erection of boundary stones, £14." Were those stones for the purpose of marking out the new boundaries?—Yes.

136. The borough sewerer's fees and expenses of inquests came to £18 11s.; and £932 3s. 1d. was expended on the repair of streets and foot-ways, which last sum, I see, included a balance due from the proceed-

ing year. £138 13s. 10d. was expended on scavenging. Have you always done your scavenging by contract since 1869?—Yes, we have always advertised since then.

137. Is the scavenging done to the satisfaction of the town generally?—I believe so.

138. And, I suppose, the contractor makes what he can of the matter?—He does.

139. What is the amount of your present contract?—£138 6s. 8d. We have a contract for three years.

140. Then your lighting, including arrears due from 1874, came to £749 17s. 3d. Is the lighting carried out by contract with the gas company?—Yes.

141. Do you contract at so much per lamp, or so much per thousand cubic feet?—At so much per thousand cubic feet.

142. What rate per thousand cubic feet do you pay?—6s. 3d.

143. How many public lamps do you maintain?—110 were erected originally, and three more have been erected since.

144. Have the Corporation any connexion with the gas company?—No.

145. The next item is "Expenses of pumps, £29 5s. 6d." Are these public pumps the only public water supply you have?—They are the only public water supply.

146. How many public pumps maintained by the Corporation are there?—About twelve.

147. Is the supply sufficient for the wants of the inhabitants?—Sometimes it is not sufficient.

148. I presume from the fact of your seeking powers to borrow £25,000 for waterworks in 1869, that the existing supply was not then sufficient for the town?—It was not sufficient.

149. Is the water of good quality?—It is not considered very good.

150. Had you it analyzed by Dr. Cameron?—Yes.

151. What does he say substantially about the water?—Some of the pumps are worse than others. One of them is condemned.

152. Has the one that is condemned been closed?—We had two or three of them closed last year. The people do not like to have them closed.

153. When you say you have twelve pumps do you mean you have twelve pumps in actual use?—Oh, no. (Hands in copy of Dr. Cameron's analysis.)

154. CHAIRMAN (reading):—

"Both Nos. 12 and 13 are largely contaminated with animal matter, so that derived from sewage, and should be reported for striking purposes to be dangerous to health. No. 12 is inferior to fair water, but might be greatly improved by filtration as it contains vegetable matter suspended in it."

Have those pumps been disused?—No; but they were cleaned out immediately after that report.

155. Have you any public filters?—No.

156. Has number 13 been cleaned out?—Three times (numbers 12, 13, and 14), have all been cleaned out.

157. Are those the only three that have been analyzed?—Yes; we were doubtful about these.

158. £39 9s. 6d., I see, was your expenditure on those pumps this year?—Yes.

159. "Low costs" came to £34 5s. 10d.?—Yes.

160. "Weights and measures, £19 13s." What is that?—That was for expenses under the Weights and Measures Act. The Constabulary are bound to inspect the weights and measures from house to house and then report on them.

161. Have you no inspector of weights and measures of your own?—No; those are the expenses paid to the Constabulary for inspecting the weights and measures.

162. "Amount paid to meet bills drawn on treasurer, £735." What are these transactions with the treasurer by bills?—They are moneys advanced by the public treasurer to meet passing accounts.

163. When you have not money enough from the rates is it your practice to draw on your treasurer?—We had to do it once or twice.

164. When you say the treasurer do you mean those are drawn on the bank or treasurer and accountants?—They are drawn on our officer, the treasurer, and discounted at the bank. The treasurer accepts the bills.

165. Had you many bills of this nature outstanding when you got your Act of 1869 passed?—Not very many. I cannot tell you from memory.

166. Then you paid £32 12s. for two years' audit of accounts, in 1875, to the Local Government Board, and £12 4s. 10d. for small miscellaneous items?—Yes.

167. Then there is £3,462 5s. 6d. expended altogether in respect of the town hall?—Yes.

168. Is that mainly in respect of the erection of the town hall, but including £50 for the rent and other small expenses?—Yes, interest on current bills, expense of gas-fittings, &c.

169. The town hall has been built recently, I see. With what funds was it built?—£2,790 given from Government Reproductive Loan Fund, subscriptions given by private individuals in the town, and something about £5,000 drawn from the borough fund.

170. Of which I see £3,415 3s. 4d. forms the balance?—Yes. (See audited accounts in Appendix 17, page 388.)

171. It was taken by anticipation from the borough fund, the fund which you were entitled to raise under this Act?—Quite so.

Alderman Kild.—It was raised in the first instance by members of the Town Council borrowing money from the Provincial Bank, and giving their own personal security, and afterwards money was borrowed on debenture mortgages and all cleared off.

172. While it was in course of building did certain members of the Town Council become responsible for the £5,000?

Alderman Kild.—There was not £5,000 borrowed. I think it would be right to have that corrected.

173. I see there has been spent from the borough fund between 1870 and the present year £4,730 9s. 8d. on the town hall.

174. Alderman Middleton (to witness).—What is the amount of the private subscriptions for the town hall?

Witness.—The expenses of the town hall altogether would be about £5,000.

175. CHAIRMAN.—Did you get £2,790 from the Reproductive Loan Fund?—Yes.

176. You got a certain amount by private subscription, and then the remainder, I suppose, the borough fund was liable for. I see Thom says, in reference to it—

"The town hall was erected in 1865-6; the ground first consisted of an exchange, free library, and reading-room, chamber of commerce, borough court and council chamber, and other offices. The upper floor comprises a large assembly-room, seventy-five feet by thirty-two, also a room for the barbers' consultation, town clerk's, and other offices. To defray the expense a sum of £2,790 was granted from the Reproductive Loan Fund for the county, and the balance, £2,000, was raised by voluntary subscription."

That would imply it cost only £5,000, you know, but it seems it cost nearly £10,000. Here is a list of the subscribers. (Hands in list of subscriptions.)

177. How much were the Corporation liable for?—They were liable for the balance from the subscriptions and the Reproductive Loan Fund.

178. Is that all paid now?—It is. There are the actual payments now. There are debentures out for some of those.

179. You get in round figures £5,000 from subscriptions, and £4,730 9s. 8d. since, either from the borough rate, or in money borrowed on security, either one or the other?—Quite so; that is the way of it.

180. Your sanitary expenses in 1875 came to £110 13s. 3d., which included £50 for the salaries of the officers. Would that £50 include your own salary of £29 as executive sanitary officer?—Yes. One of the sub-sanitary officers, Foamy, gets £10 a year.

181. What other office does he fill beside that of

Steno-
May 16, 1877.
Mr James
McKies.

Sumo.
May 28, 1877.
Mr. James
McRae

sub-military officer?—None else under the Corporation. There is 15s. a week paid to Debercy, another sub-military officer; and the two medical officers get £5 a year each.

182. As a matter of fact, does this £99 not cover a year's salaries?—No, the salaries amount to £99, and now we have a consulting sanitary officer, who gets £30.

183. Had you a consulting sanitary officer in 1875?—We had.

184. There was, in fact, only half a year's salaries paid in that account?—That was all.

185. Out of that £110 13s. 2d. you only expended £36 15s. 10d. on sewers. Has any sewerage work been done by the Corporation?—Yes.

186. £36 15s. 10d. would only pay for the opening and cleaning of them. Since the sewerage has been taken over from the Grand Jury have the Corporation made any main sewers?—No main sewers; they have, however, made some small ones; there are some very large main sewers in the principal streets.

187. Were not those sewers made by the Grand Jury in 1869?—Yes.

188. Are the houses of the town as a rule well connected with the main sewers?—In the principal streets they are; and the outlying portion of the town are, generally speaking, built on a hill, and the houses there are pretty well connected with the main sewers.

189. I see that at the end of the year, instead of owing the bank money, as you did at the close of the preceding year, there was a balance in the bank of the treasurer of £36 13s. 9d., made up of £24 16s. 5d., town hall account; and sanitary account, £12 3s. 4d. ?—Yes.

190. Are all the salaries paid by cheques drawn by three members of the council?—There is a finance committee, and three members sign the cheques.

191. Which do you draw on, the treasurer or the bank?—On the bank.

192. Is the account kept in the bank?—Well, virtually it is. Everything is lodged in the bank.

193. And lodged in the bank to the credit of the Corporation?—Yes.

194. And is there only one account kept?—One account.

195. Have you separate rates for separate purposes?—We have the sanitary rate, which is separate. There are three accounts—the borough fund account, the sanitary rate account, and the general account. We keep separate accounts for everything.

196. Do you keep a separate account for the town hall? That is a capital account, you know?—Yes.

197. In fact, the only rate accounts you keep are the borough rate and the sanitary rate?—The others are very trifling.

198. Just tell me the constitution of the Corporation? How many members of the Council are there?—Twenty-four.

199. How many of those are aldermen?—Six.

200. Is the mayor elected from the general body?—He is.

201. What is the salary of the mayor?—£130.

202. How many wards are there?—Three.

203. What were those wards fixed by?—By the Act of 1840.

204. Have they been remodelled since?—No, with the exception of the change of boundary of 1869. There was no change in the wards; they have only been extended. (Refers chairman to 6th section of the Improvement Act.)

205. CHAIRMAN (having read the section).—I see you adopted the Parliamentary wards as defined for Poor Law purposes under the 6th section of the Improvement Act?—Yes.

206. Were those wards as far as refers to the municipal portion of the borough the same in the parliamentary as they were in the municipal?—They were.

207. And you merely extended them into the rural portion according to the old parliamentary boundaries?—Quite so.

208. What are the names of the three wards, the rateable value of each, and the number of burgesses in each?—They are named the North, South, and West Wards. The valuation is £6,212 5s., £2,334 7s., and £6,503 18s., and the number of burgesses 91, 114, and 133 respectively. Each ward returns two aldermen, and six town councillors.

209. Are they, roughly speaking, tolerably equal?—I believe they are.

210. Is the number of councillors for each the same?—Yes.

211. I see from some newspapers that have been sent me that there has been a good deal of agitation in the town with regard to the butter-market?—Yes.

212. What are the circumstances at the present moment in regard to the butter-market? First of all, who is the weigh-master?—Mr. James Tighe.

213. Is he a member of the Council?—Yes.

214. At the present moment is the right of appointment vested in the Town Council or not?—If the appointment were vacant it would be.

215. Was the right so vested prior to the passing of the Act of 1869?—The power of appointment was vested in the Corporation, but not on the same terms.

216. I gathered from the report of the Municipal Corporation Commissioners of 1865 that the right of appointment vested with the family of Mr. Wynne. Was that Mr. Wynne the patron of the borough, and weigh-master and butter-duster?—He was. In 1850 there was a suit taken by the Mayor, Mr. Kelly, against the then weigh-master, Mr. Wynne, and he continued to hold it during his life by the decision of the Queen's Bench in his favour. At his death Mr. Clarke, his deputy weigh-master continued to hold it.

217. Was that Mr. Owen Wynne or Mr. John Wynne?—Mr. John Wynne.

ALDERMAN KID.—At Mr. Wynne's death his son succeeded him in office, as he believed, by hereditary right, and exercised the right for a little time. Then the Corporation denied the right, and he appointed Mr. Clarke.

218. Was it a matter of dispute between the Corporation and the Wynne family that the latter had an hereditary right to the position?—Yes. Mr. Wynne was appointed originally, and at his death his son thought he had a right to succeed him. The right was then disputed, and Mr. Wynne then appointed Mr. Clarke as weigh-master, and an action was taken against Mr. Clarke in assertion of the rights of the Corporation.

219. What year was that in?—In 1848.

220. Was that gentleman the Mr. Owen Wynne named in the Act of 1869?—The same.

221. Was he the son of Mr. John Wynne who asserted his right against the Corporation in 1850?—Mr. John Wynne died in 1867, I believe, and then Mr. Tighe was appointed by the Corporation as weigh-master the same year, in 1867. Then another action was brought to try the right by Alderman Tighe against Mr. Clarke.

ALDERMAN KID.—I am inclined to think the decision of 1850, was about the tolls and not about the right at all.

222. CHAIRMAN.—I want it to be known that I have neither any right nor power to express an opinion on this subject. I am simply here to take a note of the facts. I shall read you what are my powers from the warrant (Reads):—

"To ascertain the facts connected with the revenues of such municipal bodies; the rates levied by them for municipal and sanitary purposes; and the mode in which the property, revenue, and rates are administered and applied."

Therefore this question of the butter-market, or any market or tolls whatever comes under my cognisance only in that way. Some gentlemen have sent me some newspapers which I have read. I gather from them there is a good deal of discussion in regard to whether Mr. Alderman Tighe, a member of Corporation, is at present justified in holding the position of butter-taxer and weigh-master. Some people think he

is in for a certain time only, while others and he himself think he is for life. The first question is whether the Corporation have a right to the better-market. The fact that the right rested with them was established by the action of 1868, by Mr. Alderman Tighe against Mr. Clarke. I suppose you have a record some where or other of the judgment of the Court of Queen's Bench on that subject, which would probably clear the position, or you could give me the appointment of Mr. Alderman Tighe, and the decision of the Court of Queen's Bench, when I could better understand what the terms of the appointment were; whether he was to pay anything out of the better-market, and what the considerations were. (Minute containing the appointment of Mr. Alderman Tighe in 1867, produced by witness).

223 CHAIRMAN (having read minute).—Has the appointment previous to this been in the hands of the Wynnes family?—Yes.

224 In 1843 did the Wynnes, father and son, ever pay anything to the Corporation out of the better-market?—

Witness.—Not a shilling.

225 Up to 1867, when Mr. Alderman Tighe was appointed, did the Corporation ever derive revenue from the better-market?—No.

226 The point is, whether the Corporation, since the action of 1867, have any right to receive any such revenue. Alderman Tighe, you say, holds the office of weigh-master and butter-taster?—He does.

227 By whom was he appointed?—By the Corporation.

228 In what year?—In December, 1867.

229 Meanwhile, at that time was there another person performing the duty of weigh-master and butter-taster?—There was—Mr. William Clarke.

230 By whom was he appointed?—By the present Mr. Owen Wynne.

231 Did the present Mr. Owen Wynne claim to hold the right of weigh-master and butter-taster as hereditary from his father?—He did.

232 Was an action brought to try the question by Mr. Alderman Tighe against Mr. Clarke?—Yes.

233 What was the decision in that action?—It was decided in Mr. Tighe's favour in January in 1868.

234 Was there an appeal against that decision?—I believe the matter was brought before the Court of Queen's Bench in Dublin.

235 Was the decision confirmed by the Court of Queen's Bench?—There was some point reserved by the Court.

236 I will not go into the subject further now, but between this and tomorrow morning I shall be glad to have the Act of Parliament, the 32nd Geo. III., chapter 153, together with any documentary evidence you can show me about the appointment of weigh-master and butter-taster previous to that, as well as a copy of the decision of the Court of Queen's Bench, if you can possibly let me have it. If it can be shown me that the Corporation have a right to the appointment (and unless they are declared by the Act of Parliament they have the right), I then want to know what terms they made. First of all I want to know what are their existing rights in the matter, what rights they have hitherto exercised, and what rights they exercised at the time of Mr. Tighe's appointment.

MR. EDWARD CHURCH EXAMINED.

Mr. Edward Church.

237 Are you the treasurer and accountant?—Yes.

238 Have you held the office long?—For over seventeen years.

239 As treasurer and accountant, do you receive the rents for the Corporation?—Yes.

240 Do you receive any other moneys?—Of late, since the town hall began to be perfected, I have received all the moneys for the letting of the rooms.

241 You received £135 13s. 6d. in 1875 for the letting of the rooms for public purposes?—Yes.

242 Are any of the apartments in the town hall let for such public purposes as to the militia, for instance?—No.

The commercial news-room is set at a rent of £25. The Harbour Commissioners have the use of certain apartments which they pay no rent for, as they contributed £400 to the erection of the building.

243 Do you receive any other permanent annual rents besides the £25 a year for the commercial news-room?—We receive no other permanent rents but that.

244 Then the other lettings are for casual purposes?—Yes. The gross rental is £76 0s. 7d.

245 Is that well paid up?—Yes, there are no arrears due. In fact we never let them be due.

246 Are these all the moneys you receive?—Yes.

247 Do you pay them to the account of the Corporation at the bank?—Yes; there are constant weekly outgoings which I have to pay.

248 I see you have a small balance on the town hall account, and a small balance on the sanitary account?—Yes, at the end of the year.

249 Do you pay the sanitary officers, or are they paid by cheques like the other officers?—Since 1874, when we came under the Public Health Act, the money for this purpose is all lodged in the bank, and they are paid by cheques.

250 You do not pay any of the salaries then?—They are all paid on the order of three members of the finance committee, counter-signed by myself.

251 Do you merely pay them by cheques drawn by the committee?—That is all.

252 How came you to have a balance of £5 7s. 6d. on the town hall account, and a balance of £43 16s. 6d. on the sanitary account in your hands?—It arose in this way. Before the rate I speak of, struck under the Public Health Act, there were other rates; and at

the close of the year there was that amount to credit in my hands.

253 In fact there was no sanitary account on your books at that time?—There was not.

254 You were going to explain to us this system of the drawing of bills on you by the Corporation?—Previous to the passing of the Act of 1874 the Corporation were often very much in want of money for current expenses. They have been very much more pressing since the passing of the Act. We had nothing at that time, our only income being a three-penny rate.

255 When the Act of 1869 was passed, I understood from the town clerk the Corporation was considerably in debt?—Oh, necessarily.

256 Before the first rate was collected, had they occasion to borrow money by bills?—Yes, frequently.

257 Were those bills drawn upon, or discounted by the bank?—The bills were discounted at the usual bank rate, and the proceeds given credit for in the bank account.

258 And has that system been continued more or less up to the present time?—It was only a temporary expedient, but so recently as 1875 it was made use of. They were all cleared off, however, as soon as they came to maturity.

259 From the audit account for 1875, now before me, there was, I see, a fresh bill drawn and discounted by the bank for £235 2s. 10d. What was that bill for?—It was for £235. Our road contractor wanted money, and we gave him the £235 raised in that way.

260 And there were three other bills within that year?—Yes.

261 Were those paid out of the money borrowed during the year?—Yes.

262 You received on account of debenture mortgages £7,150. Was that the full amount you had to receive, or had you mortgages for more than that?—The Council determined on raising £5,000 for the purpose of clearing off all their current liabilities, both on the town hall account and the general account. They succeeded in getting the £5,000, and on my own recommendation they also afterwards raised £2,000 for the purpose of paying £2,000 Irish currency on old debentures left on the passing of the bill as legacies to the Corporation. They were paying at the rate of

81009
May 18, 1871.
Mr. Edward
Cham.

six per cent. interest in Irish currency. We saw it would effect a saving of £18 or £19 a year by changing this into ordinary currency, and we then got the £2,000 at five per cent. in the Irish currency.

263. What was the date of that debt of £2,000 Irish?—I believe it was a debt contracted by the old Town and Harbour Commissioners previous to the passing of the Act of 1850.

264. And that £2,000 is now paid off?—It has been paid off every fortnight.

265. In paying this £2,000, recognised by the section I have heard read (the 173rd section), was there any debt owing by the Corporation at the time of the passing of the Act in 1850?—£1,200 more was owing before the passing of the Act of 1850.

266. How had that arisen?—The origin of it was to pay the expenses of the revising barometer, when some changes were made in municipal notices.

267. The Act of 1850 gave you power to borrow £50,000 in addition to the old mortgage of £2,000. I want to know whether the £1,200 is a mortgage under the Act of 1850?—I think not.

268. Was that £1,200 borrowed on the security of the borough rate?—There were two bonds, I think, regarded as mortgages on the lands; one for £400, and one for £300.

269. What moneys have you borrowed since the passing of the Act?—£7,150 to pay off current liabilities.

Mr. Midway.

Mr. McLENNAN (called by CHAIRMAN).

278. (To Mr. McLENNAN, solicitor).—Can you tell me what authority there was for getting this £7,150? I can understand the cost of the town hall would be money for a purpose recognised by the Act, but I do not understand how the Act empowered you to borrow for the purpose of discharging current debts. Was it you who negotiated the loan of £7,150?

Mr. Chas.

Mr. CHAS.'S examination resumed.

280. CHAIRMAN.—What, then, is now the total mortgage debt?—The total mortgage debt at the present amount is £10,866 18s. That is the amount of the debenture mortgages under the Act; but then there is a sum of £700, made up of mortgages of £300 and £400 which existed prior to the passing of the Act.

281. That makes £11,566 18s. Of that £2,415 2s. 6d.

Mr. William
Cochrane, C.E.

Mr. WILLIAM COCHRANE, C.E., examined.

284. CHAIRMAN.—Are you the borough surveyor of Sligo?—I am.

285. How long have you held that office?—Five years—since September, 1873.

286. Previous to your appointment who had charge of the sewerage and drainage works of the town?—The county surveyor had the management. He continued the management of them up to the time of his death.

287. Did he continue to act after the passing of the Act of 1850?—He did up to the time of his death in 1872, and then I was appointed borough surveyor.

288. What condition is the sewerage of the town in?—Remarkably good—quite a better sewerage town in Ireland.

289. Have you good main sewers down the principal streets?—There are. The late county surveyor got a good deal of money during the relief works at the time of the cholera. He was a very energetic man and he got all the principal streets sewered. I don't think there is any town in Ireland better sewered.

290. From what source do you say he got the money to construct these sewers?—From the Commissioners of the Board of Works.

291. Contributed for that purpose?—Yes, in this way—there was a certain amount of money given for works in the county, and he got the Grand Jury to present a good deal for sewerage works in the town of Sligo, and the result was that we have got a well sewerage town. Since the death of the county surveyor I have made some small additions to the sewerage.

270. What year was that in?—In 1873.

271. Did you borrow anything between 1850 and 1870?—Yes. The debenture mortgages of £2,500 18s. after the passing of the Act of 1850 were to pay the costs of the Bill.

272. Were those mortgages of the rates or the lands?—A mortgage on all the property.

273. CHAIRMAN.—Well, then it was a mortgage on lands and rates.

Alderman Middleton.—The income of the Corporation would cover all. The mortgage included every source of income.

Witness.—I believe it covers the property as well as the rates. It was on the security of the borough fund. The next was a sum of £850 to pay a balance due to the Harbour Commissioners by the old Town Commissioners.

274. What year was that in?—That mortgage was made in the month of January, 1874. The next mortgages amounted to £7,150, all in 1875.

275. They included £5,000 to pay off the balance due on the town hall?—Yes.

276. Was it to pay off anything else?—All current liabilities.

277. What authority had you to borrow that money?—That is a matter I cannot give you information upon.

Mr. McLENNAN.—No, it was not done through us.

279. Was the sanction of the Lords of the Treasury asked?—The auditor was satisfied as to the right of the Corporation to borrow; but I will look into the matter and let you know.

balance in bank at last audit, how much have you expended?—At the present moment we have about £1,500. (For last audited accounts, see Appendix 17, p. 358.)

282. Have you got any outstanding liabilities beyond current expenses?—No.

283. Have you any outstanding bills?—No; nothing of the kind.

292. What is the outfall for all this system of sewerage?—The principal is below the tide-way—but on the north side, below the new bridge, there is another outlet into the river—the tide does not come up as high as that, and the sewage is again discharged into the river at a point nearly opposite from the south side above the tide-way. What has been suggested as a remedy for this is to construct intercepting sewers to carry the sewage, which is now discharged into the river above the tide-way, to a point below the tide-way, and there discharge it into the sea.

293. Does not this discharge of sewage into the river above the tide-way create a very great nuisance?—Well no inconvenience is felt from it in the winter, but in particularly dry summers we find it a great nuisance and inconvenience.

294. Have the houses in the streets in which you have main sewers connecting drains with them?—A great many have, but still a great many have not. I have been making a good many, and have marked on the map produced those I have made, but there were a great many made before my time which are not marked on the map.

295. But has the Corporation given notice to the parties that it is their duty to connect their houses by drains with the main sewers?—We have. Whenever the sub-surveyor officer reports them to the sanitary officer, and the attention of the Corporation is thus called to them, notices are served upon the householders to connect their house drains with the sewers, and that is generally done.

296. Has the Corporation given a general notice?—Well I am not aware whether they have or not.

297. Has the Corporation ever taken legal proceedings against the parties?—No.

298. Have they ever instructed you to construct connecting drains and afterwards charged the parties with the cost?—No.

299. Town Clerk.—Wherever notices have been served upon the parties the connecting drains have been made without having to proceed farther.

300. CHAIRMAN.—Wherever parties, whose houses are within 100 feet of a main sewer, do not make these drains, do you know that you have the power to make them and charge the parties with the cost?

Town Clerk.—The present working of the Public Health Act is very complicated, and we sometimes find it difficult to enforce it.

Witness.—There is room for improvement, but all these things cannot be done at once, they must be done gradually.

301. CHAIRMAN.—Are the houses of the members of the Corporation and of the principal inhabitants all connected by drains with the main sewer?—Well I could not say exactly, but I should fancy the houses of the principal inhabitants are.

302. And I suppose the members of the Corporation are among the principal inhabitants?—They are.

303. Generally speaking are the streets now kept in a satisfactory condition as regards cleanliness?—Well there are no complaints.

304. Have you, as borough surveyor, any supervision over the scavenging of the streets?—Well, the contract is made for three years, but if I see anything wrong I call attention to it.

305. Are you not required to make reports or give a certificate as to the proper scavenging of the streets?—Not usually. So far as the road contractor inside and outside the town is concerned, he cannot get his money without my certificate. There is a contract for cleaning the streets which only extends to the municipal boundary. There is also a contract for repairing the streets and roads both inside and outside the municipal boundary.

MR. PATRICK CHARLES DEVARY EXAMINED.

312. Are you dispensary medical officer?—Yes; of Number Two District.

313. Does that comprise the larger portion of the town?—Yes.

314. And you are also sanitary officer of the Corporation?—Yes.

315. Did you hold that office since the passing of the Act of 1874?—No; I only held the office since October, 1875.

316. I suppose in the first instance you receive reports from the sub-sanitary officer?—Yes.

317. Do you furnish those to the Corporation through the executive sanitary officer, the town clerk?—Yes; I inspect places, and report on them afterwards to the sub-sanitary officer, and then furnish the report of the sub-sanitary officer to the executive sanitary officer, to lay before the sanitary committee of the Town Council.

318. Do you attend the meetings of the sanitary committee of the Town Council?—Only when called upon.

319. Have you any difficulty in getting access to the sanitary committee?—None whatever.

320. And do you find them always ready to carry out your recommendations?—Yes.

321. And are you satisfied with the way in which your recommendations are carried out?—Yes.

322. Are you satisfied with the sanitary condition of the town generally?—There are no objections I have to it. I think the town would require a public slaughterhouse, because I find that people living in the rear of butcher's places complain greatly.

323. Are there many slaughter-houses in your district which are objectionable?—Yes; numbers.

324. The people complain of them, but do you think

306. Do you advertise the contract?—Yes; it is always upon tender. When I came into office the contractor for the outside and inside the municipal boundary had contracted for £370 a year to keep all the roads in repair, and at the time labour was low, but he found his contract too low, and he several times offered to give the Corporation £200 to get out of his contract. The Corporation when his contract expired passed him a vote of thanks for the way in which he had discharged his duties. The Corporation then advertised, and the present contractor's tender was accepted at £375 a year.

307. How long has he held the contract?—Over six months.

308. Did Mr. Barlow, the former contractor, tender for the new contract?—He did, but he was considerably over the old contractor. I think he was £200 a year over his old contract. There were three or four tenders. There is one thing I wish to bring under your notice. We have no power to take queries as the Grand Jury hail. The Grand Jury have power to go to any place they like and take stone by merely paying for the surface damage. We have no such compulsory powers for the taking of stone, and therefore it costs as more. The contractor has to pay for the quarry, but the Grand Jury have only to pay for the surface damage.

309. Have you stone within the boundary suitable for roads?—We have. It would be a great advantage if we had the powers of the Grand Jury; the stone costs us a great deal more money than it does the county.

310. Who keeps the roads clean outside the municipal boundary?—The man who is the contractor for the repair of the roads is bound to keep the roads clean.

311. Am I to understand you have not any complaints as to the state of the streets or roads?—I have heard no complaints. I would naturally be the person to whom these complaints would be made. There was a complaint some time ago that the streets were not sufficiently watered, but we had only one watering cart. The Corporation ordered another of the most approved description. The water for watering the streets is taken from the river.

they constitute a nuisance?—I look upon them as more or less a nuisance in a thickly populated town.

325. Are the slaughter-houses in this town kept clean?—They have been reported to me, and I have found them generally clean.

326. Does any officer of the Corporation inspect them from time to time?—The sub-sanitary officer generally inspects them.

327. Are they kept well flushed with water?—I cannot tell that.

328. Have you reported to the sanitary committee of the Town Council that they are objected to by the people in their neighbourhood, and that they are injurious to health?—When reported on by the sub-sanitary officer I reported on them; but I do not know whether I made any general observation on the subject.

329. Do you know whether they are licensed?—They are not licensed. There is another matter I wish to complain of; old clothing bought in Liverpool, Glasgow, and London, and other such places where there is fear of some constantly, is sold second-hand in the shops in this town; and I think there ought to be a kiln for fumigating these clothes before they are sold.

330. Have you known instances where people get disease by this infected clothing?—I have known a case where a boy died who had bought a coat in a second-hand clothes shop. I called on the second-hand clothes shop, and the people of the shop said it was a new coat, but the boy died of fever at all events.

331. You cannot prove it, but you have got reason to suspect that fever arose from the clothing sold in this second-hand clothes shop?—Yes.

332. Is there any disinfecting apparatus in the town?—None.

333. Is there any disinfecting apparatus even at the

WITNESSES.
May 28, 1877.
Mr. William
Cockburn, J.C.

Mr. Patrick
Charles
Devary.

74200
May 18, 1911.
Mr. Patrick
Charles
Devany.

workhouse!—There is one at the workhouse and one at the county infirmary on the Mall.

334. But is there any disinfecting apparatus in your own district?—None whatever.

335. Have you ever reported to the Town Council that there ought to be one?—I have never done so, because a regular epidemic of fever has never broken out.

336. But do you now state in presence of the Town Council that a disinfecting apparatus is necessary?—I think it is very necessary.

337. Do the Council not supply disinfectants?—Well, I do not know that they were ever asked.

338. How long have you had this epidemic of fever in the town?—About six weeks.

339. What is the character of the fever?—Typhoid. We try to get as many patients as possible to the fever hospital of the workhouse.

340. Have you another fever hospital?—Yes, the county fever hospital.

341. Is the county fever hospital supported by voluntary contributions?—

The Town Clerk.—It is contributed out of our portion contributed to the Grand Jury fund.

342. Is the accommodation of the hospital you speak of sufficient for the wants of the population?—Witness.—I am sure it is.

343. Is there plenty of room for the pauper cases in the workhouse fever hospital?—Well, I never heard any objection from any person.

344. Have you ever had any difficulty in the case of the civil population, whether pauper or otherwise, in your district, in having patients removed?—Sometimes I have to threaten them. When I see them in a small back room, where they have no possibility of recovery, I tell them there is a power of making an affidavit before a magistrate, and getting the police to come, and sooner than let the police come they will go to hospital.

345. Do the Corporation here undertake the cleansing out of privies and latrines?—I know the removal is at the expense of the persons on whose premises the nuisance exists.

The Town Clerk.—The Corporation remove the nuisance and charge the persons on whose premises it has existed with the expense.

346. Are there plenty of privies and latrines in the

town?—A general rule the houses are well supplied with them, but there are some few exceptions.

347. Do you find the privies and latrines that are in existence are kept down or not?—Any that have been reported to me, I have found to be kept perfectly clean.

348. You have not been obliged, as I have found to be the case elsewhere, to report on them half a dozen times?—No.

349. What is your opinion with regard to the water?—Well, as regards the water, as a sanitary officer, it is a very difficult question for me to answer. We must take public opinion on the question.

350. Is the water supply sufficient?—The supply is sufficient, but I should say the quality is very bad. The Board of Works' representative came down here, and brought away some of the water from all the pumps in the town. They got it analysed in Dublin, and I believe the report was anything but favourable.

351. Are the three reported on by Dr. Carson, as requiring to be closed, the waste in the town?—Namely twelve and fourteen at St. George's street, and the Victoria-bridge steps, he says, are largely contaminated with animal matter. He says—

* Number thirteen is a scarcely fit water, but might be greatly improved by filtration as it contains vegetable matter reported in it.

Are these three pumps used now?—St. George's street pump is very bad, and was closed up for a long time; but I am not aware whether it is used at present.

Mr. Doherty (sub-sanitary officer).—It is being used at present. It is contaminated with what are called vermin every season.

352. What do you mean by "vermin"?—

Witness.—Animals that are found in water when it becomes decomposed.

353. Why is this pump not closed altogether?—It was never reported to me.

Mr. Doherty.—It is close to my house, and I never allow it to be used.

354. Then why do you not report it?—I have done my duty by reporting on it, and no action has been taken.

355. To whom did the Board of Works submit the water for analysis?—Their own chemist.

Mr. MICHAEL DOHERTY examined.

356. Are you in the same district as the gentleman who has just given his evidence?—Yes.

357. Have you lived long in the town?—Since I was born.

358. Is your district much the larger?—Yes.

359. Does your district comprise the worst parts of the town?—It does. My district, however, has improved. Since I was appointed, three years since, I have had more than 300 notices posted.

360. Were you appointed immediately after the passing of the Act of 1874?—Yes; I was appointed in the autumn of 1874.

361. And you have acted ever since as sub-sanitary officer and, practically, as Inspector of nuisances? Do you confirm the evidence Dr. Devany has given—that the reports sent in on sanitary matters have been generally well attended to?—Yes, with the exception of two or three cases. (Hands in report.)

362. CHAIRMAN (having read report).—This is a report of a house in which several inmates were sick with fever. What action has been taken on that report?

Dr. Devany.—I did not consider it my duty to report on that house. I inspected the place, and I found nothing to report on. I had sent the inmates to the fever hospital before that.

363. But, surely, one of the principal duties imposed on the Corporation, as a sanitary body, in case of fever breaking out in the town, is to take steps to prevent its spreading. The sanitary officer wants to know what he is to do in such cases—I consider it

was the duty of the sub-sanitary officer to have had that place disinfected.

364. You know he only disinfects dwellings by the direction of the sanitary authority. If you refer to the Act you will see that. (Reads the section of Public Health Act.)

Witness.—When I called on the sanitary officer, Dr. Devany, he said the only thing he thought we could do was to get some chloride of lime and tell the parties to have the place disinfected and washed out. I could not carry any order into operation without the sanction of the sanitary committee.

365. Do you report direct to the sanitary authority?—No, certainly not.

366. Have you instructions from the sanitary authority to supply disinfectants in case fever breaks out in a place?—No.

The Town Clerk.—No case of the kind has arisen. If application was ever made to the sanitary authority they would give general instructions at once. The matter has never come before the sanitary authority officially.

367. CHAIRMAN (to Dr. Devany).—Is it a fact that you never reported to the sanitary committee of the Town Council that there was an epidemic of fever in your district?

Dr. Devany.—I did not.

368. Well, I recommend any of the members of the sanitary committee who are present now to take a note of the matter and consider it at their next meeting. (To Witness).—What do you say to the condition of

Mr. Michael
Doherty.

prices and salubris in your district? Are they kept clean?

Witness.—They are.

368. Do the bulk of the notices you have served relate to these?—They do.

370. Have new privies and salubris been constructed in many cases since the Act of 1874?—In some new tenements belonging to persons in town they have been constructed. There is a matter with regard to water I wish to call your attention to.

371. Have you reported on the impurity of the water?—Yes.

372. How many public pumps are there in your district?—There are eight in my district, and those are all the pumps there are in Sligo, with the exception of the barracks pump. The only other public source is the cress by the Victoria-bridge.

373. That is as bad as it can be?—Yes.

Alderman Woods.—Some twelve years ago I was in ill health, and had to go to Dublin to consult a physician. He asked me—"What are your habits? Do you drink water? Is there a pump in your neighbourhood which is near a churchyard?" I said there was, the Langney pump, near the old abbey; and he said this was what was destroying my health.

The Town Clerk.—There is very good water down at Ballinade, but that is away from the town.

Witness.—In the district of Foyce there is not a pump the water of which is fit for drinking. The water of the town hall pump is contaminated with human excrement.

374. CHAIRMAN (to the Town Clerk).—Have any steps been taken to remedy that?

The Town Clerk.—They have erected a new pump outside the town hall, to make up for this deficiency.

Witness.—At the time the old bridge was in existence there was a slip on the east side of the bridge, over the weir, which filtered the water; but this slip has been closed up, and a new slip opened, and all the water from the privies in Kness-street now comes down here.

375. Surely, if the water of that river is in the state you describe, the people ought to be prevented from drinking it?—There is a gentleman present who occupied a house in Kness-street at the time I inspected the house and the water-chests that emptied into the river, and he was present with me when I inspected the place. I asked him, "Do you actually drink the water?" and he said he did. There was actually human excrement floating on the water.

Dr. Denney.—I think it is only for washing purposes this water is generally used.

Witness (to Chairman).—You can see it on your way to your hotel. I showed it to Dr. Cameron when he was down on official duty.

376. CHAIRMAN.—I have known nothing worse than this anywhere I have been. Why do you not get powers to procure better water?—We have been drink-

ing it day by day since 1863. In fact, in 1867 we were drinking it.

377. How is it the Corporation have made no further effort to establish these waterworks for which they failed to procure the money?

The Town Clerk.—Their powers lapsed. If they did not do it within five years their powers lapsed, and they are now trying to get a provisional order to revive their powers of 1863. They failed in getting the money in consequence of some failures in the carrying out of the business. The petition is lodged; and I had a conversation the other day with the Local Government Board Inspector, and he told me he thought there would be an inquiry in a few days on the subject.

378. Dr. Denney.—There is another matter I wish to draw attention to. I think it is a great hardship for a doctor to be called upon to inspect 700 houses for £5 a year.

379. CHAIRMAN.—I have already alluded to that in the first portion of our report, and I cannot do more.

Witness.—As regards the obtaining of the supply of water being proceeded with, at one time we were so far advanced that we had obtained a contract, and that contract was signed by the contractor, and signed by the Corporation.

380. What year was that in?—At the end of 1872. And, moreover, though we failed in getting money from the Board of Works, we had an offer of all the money we required at five per cent., but this was conditional on one per cent. commission on the money borrowed to the money-borrowers. It happened, however, that the owners of the money intended to be given for that purpose lost it otherwise while the matter was proceeding, and so the matter dropped. We would have been very glad to get the money for the same terms afterwards, and would have been very glad to pay the commission for the money.

381. Did you make any application since the Public Health Act came into operation?

Alderman Kidd.—Yes, we had everything prepared for supplying water; we had taken the contract, but we had to get it ratified by the Lord Lieutenant. The law adviser at that time stated as his reason for not advising His Excellency to confirm the contract, was its having been declared at an adjournment of a special meeting. The meeting convened for the purpose was adjourned, and it was again adjourned; and eventually the contract was agreed on between the Corporation and the contractor, but inasmuch as there were two or three adjournments of a special meeting the law adviser recommended His Excellency not to sanction it.

382. Was there nothing done between 1871 and 1874?—Nothing was done, because labour had advanced, and iron had advanced in price. That was the principal reason why nothing was done between these years.

MR. ROBERT CHATFIELD EXAMINED.

Mr. R. Chatfield

383. On what point do you wish to give evidence?—I want to give evidence to show that the passing of the Improvement Act prevented the Corporation improving the state of the town, and that the public health of the town is very bad. I have been mayor, and I am a member of the Harbour Board and Corporation as well. In 1867 I brought the matter of the health of the town before the Corporation. The Corporation appointed Dr. Tucker, their medical officer, and myself to inspect matters; and we went and saw every sewer connected with either side of the river. A delegation, of which I was one, was then appointed to wait on the Grand Jury, and the Grand Jury appointed a committee of their body to report on the matter. Then the county surveyor was directed to make out plans. He, in addition to suggesting that sewers should be made on either side of the river, recommended that a bridge should be made from one side to the other, which would cost £500. The Corporation were about to make it; but the Improvement Bill of 1869 cut us

off from the Grand Jury, and the Corporation let matters remain as they were. I have brought the matter before the Corporation several times.

384. The surveyor told us that the bulk of the main sewers were discharged below the tideway; but he showed us some two or three sewers which were most injurious to the health he thought of people living on the banks in hot weather?—But after all the sewers have been emptied into the river the water is used for culinary purposes.

385. From a report recently handed in by one of the sub-municipal officers, it appears that there are a number of privies which do not go into a main sewer at all?—All of these sixty or seventy sewers on either side of the river empty into it. The sewers were originally constructed to empty into the river. The river is really the reservoir of all the filth of the town.

386. The surveyor said there ought to be an intercepting sewer on the south side of the river, but he did not think it so necessary on the north?—That is true;

Witness.
May 18, 1877.
Mr. Robert
Crawford.

but in fact all the others empty into the river. I believe about £1,600 would suit the matter right.

387. Has an estimate ever been made of the cost of an intercepting sewer on the south side?—I had a conversation with our surveyor, and he thinks £1,600 would put down earthwork pipes of two feet in circumference, which would be a sufficient size.

388. CHAIRMAN.—Have you not been able to induce the Corporation to take any action in the matter since the passing of the Improvement Bill of 1869?

389. Alderman Kidd.—Does Mr. Crawford mean to say that the Grand Jury undertook the making of intercepting sewers?

Witness.—I do. I say they have got their surveyor to make out plans for those sewers, when they were stopped by the Improvement Act of 1869.

390. Has this report of July 21st, 1876, by Mr. John Layard and Mr. Devany been laid before the Council?—It has, but they refused to take action on it.

391. CHAIRMAN.—(Reads).—

"As sanitary officers of the Sligo Nos. 1 and 2 Districts, we hereby report to you that our attention has been directed to the fact that the sewage of the town is carried into the river which is used by many persons; and also that in dry weather the smell of the Effluvia from the side of its bed is very noxious. We recommend that, as the above must prove very dangerous to public health, immediate attention be taken to have the sewage conveyed through pipes laid in the bed of the river and discharged into the sea; and also that the bed of the river be cleaned."

Are you a member of the sanitary committee?—I was a member.

392. What action was taken on that report?—I prepared a resolution, but it was not taken action on by the Corporation. My resolution was to the effect that our surveyor be instructed to make an estimate of

the cost of intercepting sewers as the best means of remedying the nuisance.

393. Was the resolution not put?—I put it, and it was recorded.

394. Probably it is on the minutes?—No; I looked, and it is not on the minutes.

395. What was done with your resolution?—It was not entertained at all.

The Town Clerk.—The resolution, when it was received by me, was laid before the sanitary committee, and by them it was referred to the Town Council, and it was put on the notice paper, and a special meeting called to consider the report. At the close of the meeting Mr. Crawford said he would introduce the resolution, it was proposed by Mr. Crawford, and seconded by somebody else; but the meeting separated as the resolution was being put, and it became a dropped resolution.

Alderman Kidd.—The subject never came before the Town Council.

Witness.—Well, in the case I tell you of it did.

396. CHAIRMAN (to Witness).—Have you ever brought forward the subject since?—Not since; the majority of the Council did not wish to entertain it.

Alderman Kidd.—The majority of the Council perhaps did not wish to entertain it, because they were more anxious to get another supply of water.

397. CHAIRMAN.—I never like to give an outside opinion; but I will give one on this occasion, which is, that it is a pity all party feeling on this Bill of 1869 has not died out, for it would be very much for the good of the town that it should do so, and that you should all join heart and hand in endeavouring to remedy the evils which must inevitably arise from the present state of things.

May 19, 1877.

Mr. William
Thomas
Vernon.

MAY 19, 1877.

MR. WILLIAM THOMAS VERNON EXAMINED.

398. Are you secretary to the Grand Jury?—Yes.

399. Have you any documents referring to an application of the Grand Jury, previously to the passing of the Act of 1869, with regard to the formation of intercepting sewers in the river?—I have. (Hands in documents.) That is the application for making 134 perches of intercepting sewer on the north side of the river from the slip at Holborn-street to Mr. Hegarty's, and that is the application for making 159 perches of intercepting sewer along the south side of the river from Bridge-cumel.

400. These are the estimates for those works by Robert Stokes and John West. Were those individuals members of the Town Council?—I do not know.

401. Their estimate, I see, was £1,600 for each of these sewers. Did the Grand Jury entertain this application, and direct the surveyor to prepare an estimate of the cost?—It was brought forward at petty sessions by Mr. Stokes, in November, 1868. It then came forward at next sittings of the spring of 1869 for approval; it was then sent back to another session, at which the county surveyor produced the maps, plans, and specifications. It passed at the May presentment sessions of 1869. It was brought forward then at the summer sessions of 1869, and finally approved of. In June, 1869 (I was not then secretary to the Grand Jury, but an assistant in my uncle's office), I advertised for tenders for these works, to be opened by the Grand Jury, as you will perceive from the schedule laid before the Grand Jury. Accordingly, there were tenders put in for the sewers at £1,350 each, and opened by the Grand Jury.

402. Were they accepted?—No, I believe not.

403. Do you know what was done with regard to them?—I will only state as far as I can remember. I think it was on some technical ground that the work was thrown out by the Grand Jury, as clearly as I recollect.

404. Was the Bill pending at that time before the Committee of the House of Lords. (Reads the evidence of Sir Robert Gore Booth, chairman of the Grand Jury of the county of Sligo, before the House of Commons, to the effect that the presentments in question had been approved of by the Grand Jury.) In point of fact the Grand Jury approved of all the presentments at the spring assizes, subject to certain conditions. Then they did not carry out the works, and you are not able to state distinctly on what grounds they declined to carry them out. (Reads the evidence of Colonel Cooper before the House of Lords, stating some technical objection had been raised on the part of the owners and occupiers, and that on this ground the Grand Jury had been obliged to throw out the presentment.) The effect of that is, that the Grand Jury having entertained a proposal did not finally accept that proposal on some technical ground, which was probably that the Bill was then pending, and it was not considered on its merits. I see that Colonel Cooper was asked by the Committee of the House of Commons, on May, 1869, "Why has not something of this kind been started for the last few years?" and he replied, "Because their Bill has prevented us." The evidence then continues—"You know about the intercepting sewer, who first brought the matter forward? It was a deputation from the Corporation; they said that we, the Grand Jury, had introduced sewers into the river, which had polluted it, and they said it was essential all the sewers should be intercepting." Then he is asked—"It takes some time after a schedule is laid before the Grand Jury to come to a conclusion on it; will you state how that is?" and he replies—"My scheme exceeding £50,000, requires, &c."

Alderman Kidd.—I beg leave to say it was brought under the notice of the Grand Jury in the first instance in 1867, at the time Mr. Syms was mayor. (Schedule containing presentment referred to handed in.)

403. CHAIRMAN.—This is signed by Henry Lyons, and addressed to the Grand Jury. (Reads).—

—GENTLEMEN.—The sanitary committee of the Town Council of Sligo having directed the medical officer of Sligo to inspect and report on the state of affairs you refer to in respect from his report and personal observations, that the water of the river is grossly and dangerously polluted by several sewers discharging their contents into the river. As some of these sewers were made by James Gould Jones, I trust you will perceive the urgent necessity that exists for prompt measures to counteract their noxious influence. We submit for your consideration the necessity for large cesspools sewers on

either side of the river, to empty into the sea, and intercepting sewers to prevent any sewage flowing into the river. We would also urge that cesspools public roads be constructed thereon, which are much required in Sligo. Trusting to your kind co-operation for the carrying out of our suggestions, we have the honour to be, &c.

It is quite clear the Town Council at that time were desirous that it should be done, and the point, I presume, that Mr. Crawford wishes to lay stress on is that several years have elapsed and the work has not been done.

Dr. THOMAS MURRAY EXAMINED.

Dr. Thomas Murray.

406. Are you medical officer of health?—Yes.

407. Were you the medical officer of health at the time this question was asked before the Grand Jury in 1867?—No.

408. Did you hear that report presented by Alderman Lyons to the Grand Jury which I read just now?—No, I did not.

409. CHAIRMAN (reads report).—However, you have been residing in the town as a medical man—I have been residing here for three years and a half.

410. Is there any medical gentleman in the town at present who was residing in the town at the time the report was presented?—No.

411. I merely wished to know whether the sewers which Mr. Crawford gave evidence about were the same sewers about which application was made to the Grand Jury?—I cannot say whether they were or not.

[It appeared from the evidence of several witnesses that the sewers were the same.]

412. (To Mr. Dolerty).—You are one of the sanitary officers, and you have been residing in Sligo since you were born. Can you tell of your own knowledge whether or not the sewers that now empty themselves into the river are the same sewers that were complained of to the Grand Jury in the year 1867?—I think the principal ones are the same.

Mr. Alderman Woods.—Everyone of them are.

413. CHAIRMAN.—Two sewers were pointed out to

me by the borough surveyor yesterday; one above and another below the bridge; but irrespective of those there are a great number of branches the drains of which run into the river, and some of those were complained of to the Grand Jury. It was with the object of intercepting these that an intercepting sewer was proposed to be made along the north and south banks. Are all those sewers that were complained of to the Grand Jury in 1867 still discharging into the river, and in the very same condition in which they were in 1867?—They are.

414. I believe that assertion is unqualified. Are you the consulting officer of the borough?—No, only of the union at large.

415. What interest do you come here to represent? Are you a ratepayer of Sligo?—I am.

416. And you come here in that capacity. The person I wanted to get was the medical officer of the borough. Now, will you tell me what it is you wish to represent?—I wish to represent that something ought to be done with the drains that discharge into the river; because here at the Victoria-bridge the people use the water constantly—for what purpose I do not know, but I constantly see them taking water from it.

417. We had sufficient evidence on that subject yesterday, and I do not think we need go any further into it. I myself too had earlier evidence on the matter yesterday.

Dr. JOHN LAYARD EXAMINED.

Dr. John Layard.

418. Are you sanitary officer for No. 1 district?—Yes.

419. How long have you been one of the dispensary medical officers?—Four years.

420. Were you practising within the borough before?—For about six months.

421. Is the state of the sewerage now the same as when you first came here as regards the sewers that discharge into the river?—Quite the same.

422. I suppose that, as one of the medical officers of the borough, you have had your eye upon these drains?—I have.

423. And have any drains that emptied into the river when you first came been diverted from the river since?—Not that I am aware of.

424. Have any fresh sewers been taken into the river above high water?—Not that I am aware of.

425. Are there several houses that have drains from the privies into the river?—There are.

426. Is that above the source from which many people take their supply, or do you know whether they use that water for drinking as well as washing?—I do not know, but I know they take it into the houses.

427. We had two sewers pointed out to us yesterday that drained direct into the river, one on the north and one on the south side. Are there more sewers than that?—I am not aware of more.

428. Are both of those above the Victoria steps, which is the place you have already said from which the water is largely used by the inhabitants?—Yes.

429. Can you tell us or not, whether it is a fact that at the present moment there is an outbreak of typhoid fever in the town?—There is an outbreak of typhoid fever.

430. How long is it since the first case?—Two months.

431. Has it spread rapidly?—It is chiefly in the other district, so that I cannot speak positively on that

subject. I think there are ten or twelve cases in the hospital.

432. Have you had occasion to make complaints to the sanitary committee of the Town Council?—Yes.

433. Have those been attended to?—Not in every instance.

434. What do you complain of still?—The drainage is very imperfect. In some of the streets, I think, there are no main drains.

435. We certainly saw from the map yesterday that the streets of Sligo are very well sewered?—They are; but in three streets in my district the drainage is very imperfect.

436. Are the houses in your district generally well provided with privies and ashpits?—In those streets I have mentioned they are not.

437. Have you reported that to the sanitary committee?—I have.

438. Have any steps been taken to call on the parties to provide privies and ashpits?—I am not aware that any steps have been taken.

439. Are they still in the condition they were in when you reported them?—They are.

440. Are there any slaughter-houses in your district?—Only one, I think.

441. Is that one well kept?—No, indeed it is not well kept.

442. Have you had complaints of it?—I have.

443. Do you know whether notices have been served on the responsible parties?—Notices have been served, and they have cleaned it for the time being.

444. Have you ever represented the fact that there is a want of a public slaughter-house?—I have.

445. Do you know why the Corporation have never availed themselves of the power to provide one?—I am not aware of the reason.

865-6.
May 19, 1877.
Dr. John
Walsh.

446. Even supposing they do not drink the water, is the health of people affected, or is it liable to be affected, by the drains that run into the river?—Oh, it certainly must be very injurious to health. I went and examined it. The smell is very bad at low water; at high water, of course, it is covered. Yesterday I found it very unpleasant passing across the river, inasmuch as I saw matter discharging itself into the river, which certainly should not be discharged there.

Mr. John
Walsh.

449. Are you a ratepayer?—Yes; I am a carpenter. I have known the river for the last eighteen years; and previous to the time the sewers were under the control of the Grand Jury, they were annually cleaned.

451. And have they been cleaned since they were under the control of the Grand Jury?—Never at all.

452. And have the sewers since been worse?—Much worse. There are three main sewers that discharge themselves into the river, but the principal sewer runs down from the Court-house and discharges itself right under the feet arch of the bridge, in the

Mr. C. J. O'Shea
Burgess.

454. Were you a contractor under the Grand Jury?—I was a contractor for keeping the streets.

455. Do you know whether or not these sewers, as distinguished from private drains, were annually cleaned by the Grand Jury when they had control of them?—They were cleaned, not every year, but occasionally.

456. You did that cleaning by the direction of the Grand Jury surveyor?—Yes.

457. Are you contractor under the Corporation now?—I am at present, but have not been for the last five years. There was another contractor.

458. Do you know whether anything has been done

Mr. Frederick
H. Pollock.

462. CHAIRMAN.—You attended here yesterday with the view of presenting a memorial on behalf of certain members of the butter trade, and you desired to know whether I would hear their evidence. I have since last evening looked over the reports of the evidence given before the Committee of the Houses of Lords and Commons, and I shall tell you now what is, in my opinion, the position in which this matter stands. It appears to me, from looking into the Act of 52nd Geo. III., c. 134, that it is quite clear that it was the intention of the Legislature that the weighmaster should be appointed by the Corporation. The third clause enacts that when appointed the weighmaster is to provide a weigh-house, beams and scales, and all necessary and deputies. In fact the whole staff is in his appointment and under his control. All the Corporation can do is to order his removal from office for misbehaviour, otherwise it appears to me he holds the office for life. He is the person to whom complaints are to be made with regard to any mismanagement or grievance existing in the market. The 17th section fixes the fee to be paid to the weighmaster, and he is not bound to account to the Corporation for those fees. He may do so by arrangement or voluntarily, but he is not bound to account to anybody, and that being so, I don't think it is necessary or of any use my examining witnesses on the subject. I shall take it that this memorial has been presented by you on behalf of yourself and those other gentlemen in the butter trade, and if you so desire it I shall have a copy of the memorial put upon my notes. (See Appendix No. 17, page 289.)

Witness.—We were unable to get any redress from Alderman Tighe, and we presented that memorial to the Corporation.

447. Do you believe the health of the inhabitants is actually affected by it?—I do.

448. Do you know whether the death rate in Sligo is high or low, compared with that of other towns in Ireland?—It is low compared with that of other towns—at least the number of registered deaths is low.

449. Is the health of your district, at the present moment, with the exception of those two or three cases of typhoid fever, in a satisfactory state?—It is in a satisfactory state at present.

MR. JOHN WALSH EXAMINED.

centre, on the south side of the river. I lost three of my children by the effluvia arising from this river.

453. I have been requested to ask you a question in regard to the loss you have suffered. We have heard that one of the wells—the Lungay pump—was supposed to be polluted by the graveyard of the old abbey. Is that the pump from which you have your drinking water?—I think not; I think it is from Fossadestreet that I have my water; but I know the people take water from the river.

Alderman Kidd.—The Lungay pump is contiguous to a different burial-ground—St. John's burial-ground.

MR. CHARLES SIMPSON EXAMINED.

to cleanse these sewers where they empty into the bed of the river since the Corporation have had control of the streets?—I never saw them cleaned.

459. Do you know whether or not the bed of the river was ever cleaned by direction of the Grand Jury?—I never knew it to be cleaned by them.

460. Has it ever been cleaned by the Corporation since 1859?—Certainly not.

461. Do you know what is done with the nature of the sewers when they are cleaned?—It is left on the banks of the river on either side. They are merely cleaned in such a way that they could not choke up.

MR. FREDERICK H. POLLOCK EXAMINED.

463. CHAIRMAN.—Was this memorial presented to Alderman Tighe complaining of the way in which the butter market was regulated?—Yes; and we made complaints to Alderman Tighe before, and the cause of complaint was not redressed.

464. Upon your failing to get redress from Alderman Tighe, did you present a similar memorial to the Corporation?—We did.

465. What was their answer to it?—We got no answer at all. A deputation was appointed, and a requisition was sent to the Mayor, asking him to call a meeting to discuss the matter. I was one of the deputation, and I know we got no answer to it. There was no meeting called to look into the matter.

466. Did you present this to the Mayor asking him to call the meeting?—Yes.

467. Did you do so in person?—No; it was done by the secretary. I know it was sent. I never heard of any answer having been received, and no meeting was called.

468. What I want to know is, do you wish me to place this memorial on our notes, for the Select Committee of the House of Commons, as representing the dissatisfaction of the butter trade with the management of the butter market?—Yes, the entire dissatisfaction. The names signed to the memorial are the principal merchants in the butter trade in Sligo.

469. I have been asked by Alderman Kidd to put the question to you whether or not you are appointed by the butter trade to appear here to-day?—No. I was appointed upon a deputation to appear before the meeting that we requested the Corporation to call. I merely came here to-day as an individual member of the butter trade and a ratepayer.

470. You don't come here at the instance of those

gentlemen to request to have this memorial put upon the notes?—No. I came here individually, but I have the approval of several of the trade.

471. Alderman *Middleton*.—As one of the firm who signed this memorial, I desire to state that we wish it should be put upon the notes.

Scene.
May 12, 1850.

Alderman *Kidd* examined.

Alderman
Kidd.

472. CHAIRMAN.—As you were the chairman of the meeting at which this memorial was adopted, I may ask you have you any objection to its being put upon our notes?—I have not the slightest objection to it. I was the principal party to it.

473. Does this memorial represent your views as well as the views of the other gentlemen who signed it?—Yes, decidedly.

Alderman *JAMES TIGHE* examined.

Alderman
James Tighe.

474. CHAIRMAN.—Reading from the report of the evidence taken before the Leeds Committee on the 1st July, 1849, on the occasion when the Bill of 1849 was before both Houses, Mr. Rodwell, I find, asked Mr. Tighe these questions:—

"You brought this action against Mr. Wynne's nominee?—Yes.
—Q. To try the right?—A. To try the right. Q. In the interests of the Corporation?—A. In the interests of the Corporation. Q. You were mayor last year?—A. I was mayor last year. Q. Therefore it was not a *plea* set out of years, but you did it in the Corporation?—A. Yes. Q. And with respect to the money, you want back this money which was advanced for the Corporation?—A. Yes; and I want nothing more."

Is that correct?—What I meant was, that I wanted the money, not for the Corporation, but for the individuals who advanced their money for the promotion of the Improvement Bill.

475. It would, perhaps, make it a little clearer if you were to state the circumstances under which you came forward to try the right of the Corporation to appoint to the office of weighmaster. That is, however, entirely a matter in your own discretion.

Witness.—Read on a few questions, if you please. What the circumstances were you will find by the Blue Book at page 57.

476. Was it immediately after the death of the late weighmaster, the Right Hon. John Wynne?—Some months after.

477. Was it with the view of trying the question whether or not Mr. Owen Wynne was to succeed his father—whether he had the hereditary right to the office?—I would simply ask you the question, would I be likely to run the risk of losing £200 simply to try the right of the Corporation to appoint to this office. The Corporation appointed me, but then they gave me no guarantee that if the suit went against me that they would recoup me any money I would be out of pocket.

478. But was there an understanding with the Corporation or anybody that you were to be recouped that money?—No understanding with the Corporation or anybody.

479. When you accepted the office did you know that there was a Mr. Clarke in the office, and that there would be the expenses of a law-suit?—I knew that Mr. Clarke was in the office, and that there were the chances of a law-suit.

480. What did you mean by this, "That you brought the action against Mr. Wynne's nominee to try the right in the interests of the Corporation"?—Yes; in so far as ascertaining their right.

481. "And with respect to the money, you want back this money that was advanced for the Corporation, and nothing more"?—Yes; and I want nothing more.

482. What was that money?—Money advanced for the passing of the Improvement Bill—advanced for by four individuals, not by the Corporation.

483. Were you one of the individuals?—I was. I advanced myself £210.

484. Are you correctly reported in saying that the costs were under £1,000?—I have read the reports, and a great portion of those figures are inaccurate. I could not tell you what they were from memory.

485. Could you tell me within £200 of what it was?—I could not.

486. Do you remember being called before the Committee of the House of Lords, and examined by Mr. Rodwell?—I do.

487. Do you remember a letter being read to you by Mr. Rodwell?—I do.

488. I may assume that this is the letter:—

"Sigs, May 10, 1850.

"To the Mayor, Alderman, and Burgesses of Sigs.

"Gentlemen,—As it will not be in your power to attend in London to give evidence upon the 'Sigs Borough Improvement Bill,' and to state to the Committee my perfect readiness to resign the office of weighmaster and store of Sigs upon the passing of the Bill, so to enable the Corporation to remove the profits for the benefit of the town and all of the borough fund as is provided by the Act, I now beg to state that I shall, and do undertake to resign the office upon payment by the Corporation of the sum of money which shall be the balance of the Council and I have expended in ascertaining the rights of the Corporation, and providing this title to make the appointment, and the same was advanced as portion of the costs of the pending Bill. As the greater portion of the costs in the case of my action against Mr. Clarke have been advanced to me by the verdict of the jury under the direction of the judge, I am advised that the amount to be charged upon these proceedings will be very trifling.

"Your obedient servant,

"JAMES TIGHE."

That was the letter which you wished to be put before the Committee?—Yes.

489. Are those the sums that you referred to just now?—Well, not exactly. There were other sums advanced. There is another letter written by me.

490. "As the greater portion of the costs in the case of my action against Mr. Clarke have been advanced to me by the verdict of the jury, under the direction of the judge, I am informed that the amount to be charged upon these proceedings will be very trifling." Then Mr. Rodwell asked you was that the letter you wished to be put before the committee?—Yes.

491. Mr. Rodwell put this question:—"Now since the decision of the Court of Chancery with regard to the rights of the Corporation and Mr. Wynne, you are prepared to resign the office you have upon payment of the costs you were put to in ascertaining the right." Was your answer to that, yes?—It was.

492. Then he further asked you whether "The money you contributed was to come back from the Corporation?—Yes." Then money advanced was, you said, to be refunded by the Corporation?—A. Yes. Would you say yes to this question now?—What question?

493. That upon the money that you and others had advanced being paid by the Corporation it was your intention to resign the office of weighmaster?—Yes; and is so still.

494. We have the opinion of the Master of the Rolls that you are in for life, and that your resignation would be purely a voluntary matter upon your part?—Quite voluntary. I was under no obligation to write that letter or any other letter, but like many others anxious to get this Bill passed I made the proposal.

495. As I understand that year you were mayor elect, I want to know whether you were asked to undertake the office of weighmaster or whether you volunteered to do so?—I did not. It was against my will. It was forced upon me, and there are gentlemen at this table who will tell you so.

496. Then, may we take it you were pressed to undertake the office of weighmaster, and you say in that letter that you were perfectly ready to resign the office for the benefit of the Corporation (and that is the only point which appears to me at all far our consideration). You were willing to resign the office on being recouped the money which it cost to try the action to ascertain the right of the Corporation to the

Scene.
May 18, 1877.
Alderman.
James Tighe

appointment, and the moneys advanced by you and your friends in promoting the Bill of 1869?—Yes.

497. Do you still adhere to that?—Yes.

498. As to any moneys you have received as weighmaster, are you prepared to give an account as between you and the Corporation up to the time you do resign?—That is a matter between me and the gentlemen who advanced the money.

499. When you are satisfied that you have got sufficient money to bear your friends harmless out of the market, then do you mean to resign the office?—Yes.

500. When you get the money either from the profits of the office or from the Corporation to reimburse yourself and your friends, then you say I am quite ready to resign the office?—Yes, and I render an account to those gentlemen to whom the money is due, and that is the only account I will render.

501. I shall put the opinion of the Master of the Rolls upon my notes (Appendix No. 17, page 388), as obtained by Mr. Keraghan, the solicitor for the Corporation. That opinion was given just antecedent

to the appointment of Alderman Tighe, and I understand that his appointment was based upon that opinion?—Yes.

502. The Master of the Rolls was clearly of opinion that there was no condition attached to the office of weighmaster, and that when appointed he held the office for life. Previous to appointment there might be a private arrangement made that he should resign under certain conditions, or that he should render an account of the fees to the Corporation, but there was nothing in the statute binding him to do so, and therefore I am of opinion that it does not come within the scope of my inquiry to call upon him to give any account of them. As the case stands I do not think I can go into the complaints of the butter trade further than taking a note of the fact that the traders do not consider the butter market is satisfactorily managed, that a memorial on the subject was presented to Alderman Tighe, and afterwards to the Corporation, and placing that memorial also on my notes. In reference to that I shall just ask the mayor one question.

Mr. Nelson.

Mr. NELSON (the mayor) examined.

503. CHAIRMAN.—It was stated by Mr. Pollack that a memorial had been presented to you by the secretary of the committee of the butter trade in reference to calling a meeting of the Corporation, and that to that memorial no reply had been vouchsafed. Is that correct?—In reply to that I may state that after consulting with a few members of the Corporation I did not send an answer. At the time we had under consideration an arrangement with Alderman Tighe with the view of getting the butter market into the hands of the Corporation, and until the termination of the negotiations, I, along with others, thought it would be more prudent to keep the matter in abeyance, and that is the reason why the meeting was not called.

504. Was it your feeling that so long as the office was filled the Corporation had no power to interfere with his management of the market?—Not that so much as that pending the negotiations that were going on to get the market into the hands of the Corporation from Alderman Tighe, it was undesirable at that time to interfere with the arrangements of the market.

505. Of course if there were complaints, the only way in which they could come under the cognizance of the Corporation would be by representations that

the market was improperly conducted, and if that were the case then the Corporation could exercise the power conceded to them by the Act of Parliament of cancelling the appointment?—Quite so. We had two meetings.

[Here follow minutes of meetings of 18th April and 27th, as report of committee to be forwarded by town clerk.]

Witness.—That is how the matter now stands. The matter was referred to the Local Government Board, and this is their reply—

"Dublin, 30th May, 1877.

"SIR,—The Local Government Board for Ireland acknowledge the receipt of your letter of the 1st inst., forwarding copies of resolutions passed by the Town Council of the Borough of Sligo. With reference to the purchase of the interest of Mr. James Tighe, in the office of weighmaster and butter-drawer, of the Sligo market, and stating that the object of sending the particulars to the Board is that they may approve of the Council doing so, and that there may be no difficulty in the future sale of the Corporation accounts to any of the members who may sign the cheque for the amount of the purchase-money; and in reference thereto, the Board desire to state that they are not aware that they have any power which would authorize them to interfere in reference to the proposed arrangement, and their approval therefore would not render the transaction a legal one, if not otherwise legal.

"By order of the Board,

"R. BAKER, Secretary."

Mr. McKim.

Mr. McKIM re-called.

506. I found yesterday that among the officers you pay, there are two watchmen. What are their duties?—Their duties are to go out at night and patrol the town, and if they see any danger of fire to report to the police—or, if they can take any remedy themselves to prevent it, to do so.

507. Are they able-bodied men?—Well, they are not able-bodied men.

508. How old are they?—One of them looks fully sixty years of age.

509. Would you say they were efficient?—Well they appear efficient, but it would depend on the force that could come against them.

510. Are they continued as a matter of charity?—They do a good deal of service; by inspecting the houses for instance to see if the doors are shut, and looking after injuries to the lamps.

511. Do the constabulary here patrol?—They do, up to a certain house.

512. Do the medical officers examine the slaughter-houses?—I think they are waiting until they get the powers vested in them in getting the tolls, &c., from Mr. Wynne.

513. But they have let the day go by for that?—No doubt but there had been very little complaint with regard to those slaughter-houses. There was one complaint but it was remedied.

514. It was stated here yesterday that the Harbour

Commissioners in consideration of their contribution to the town hall had a room in it rent free. Is that true?—Yes.

515. What was the sum contributed? Some said £500 and others £1,000?—Those secretary told me it was £1,000.

516. Alderman Woods.—It was £992 1s. Have any other persons rooms rent free in this building besides the Harbour Commissioners?—No.

517. We have had a great many complaints made of the sanitary state of the river, and the exhalations that come from it. Has any report been made to the sanitary committee before to-day?—No.

518. Is Mr. Crawford a member of the committee?—He is: all the members of the Council are members of the sanitary committee. They are a committee of the whole house. Three forms a quorum.

519. Has Mr. Wood Martin, who is not a member of the Corporation, made any complaint to the Corporation of the state of the river with a view to the nuisance being remedied?—He has not. There was a letter from Mr. Crawford on the subject, but prior or subsequent to that there was no report on the matter. When this report was sent to me I sent it in before the Sanitary Board, and it was put on the notice paper. It just came on at the close of the meeting; Mr. Crawford stood up and said he had a resolution to propose, but the meeting broke up, and would not hear it.

529. Has the matter never been revived?—Never been revived. By a clause in our Act there should be a notice on the paper before considering it.

531. Did you not consider it your duty to put it on the notice paper for next meeting?—No, I assumed they broke up with a view of letting the matter drop for the present.

532. Is there any fire brigade in the town?—No; but we have two fire-engines in connection with the Corporation.

533. Have they any men specially told off to work the fire-engines?—No; on an occasional fire we found the people were very willing to assist with the military and police, and that very efficiently. The military have a fire-engine of their own.

534. Has there been any alteration in the number of watchmen since the passing of the Improvement Bill?—I do not think there has; I think there were

two watchmen in office before the passing of the Bill. Before the Improvement Act there were fifteen or sixteen of them, but so many are not now required.

535. Can you tell me what are the hours for lighting and extinguishing the lamps?—The hours vary with the season of the year. We make out a regular scale, and the gas company carry out that scale.

536. Are there any complaints in the town that the lamps are not regularly enough lit, or not kept lit sufficiently late?—Well, there are no special complaints. Some people would wish to have them kept lighted longer than others, but any well-founded complaints have been attended to by the Corporation.

537. I see that at the rate you pay per thousand cubic feet the lamps can be kept lighting for only a limited period, namely, from September to May?—Yes. From May to September they are not lit at all. It is a three-foot burner that is used.

Alderman WILLIAM MIDDLETON examined.

Sworn
May 15, 1877.
Mr. McKim

Alderman
William
Middleton

538. Witness referred at some length to a certain sum disallowed by the auditor, Mr. Finlay, in his audit of the 9th April, 1873, consisting of £3 15s. paid to the widow of George Carey for funeral expenses, the deceased having been sworn constable to the Corporation. The auditor also disallowed a sum of £2 to the widow of a man named McGoldrick, a watchman under the old Town and Harbour Commissioners. Furthermore, the auditor had disallowed items of £1 6s. 6d. and 2s. interest on bills of exchange for £148 9s., drawn by Mr. Alexander Gilmore, in connection with an account for printing, advertising, &c., in relation to the Improvement Act.

539. CHAIRMAN.—Do you know whether or not these amounts, surcharged to certain members, were paid?—Not that I am aware of. The town clerk knows better than I.

Town Clerk.—They have not been paid. In the first instance, when Mr. Finlay audited the accounts, he surcharged this £1 6s. 6d., together with those other items. The Local Government Act gives power to persons who are surcharged the right to appeal to the Queen's Bench, or go before the Local Government Board by petition. A petition was presented in the first instance, but no action taken on it. The Local Government Board, or their officers, however, never demanded repayment of these sums.

540. Did they confirm Mr. Finlay's decision, or rescind it?—Presumably they rescinded it.

541. What I want to know is this: Parties, if they feel aggrieved by these disallowances, have the privilege of applying to the Local Government Board by petition to rescind the disallowances; and, I presume when this course is adopted, they receive an answer either confirming the decision of the auditor, or rescinding it?—There was an intimation given to the parties concerned that a disallowance was made, and they sent in their appeal. There never was any action taken by the Local Government Board to enforce the surcharge.

542. The payment has not been enforced by the auditor; but do you mean to say also that the Local Government Board expressed their intention of allowing the amounts?—Presumably they did.

543. What was their answer?—They sent no special answer.

544. What do you mean by a "special" answer?—There was no official answer. I believe there was an answer to the surcharged parties themselves.

545. Who are the parties surcharged?

Alderman Kidd.—I am one, and I am ready to give you an explanation. I was one of the three who signed the cheques for the payments to Mr. Gilmore, but I am not quite sure about the other matters of the funeral expenses. I now produce the answer of the Local Government Board on the matter of the £148 9s. I should say that I and one or two others determined to contest the matter; but before doing so we resolved to wait on the Local Government Board, who very fairly heard our representations, and the result is that the matter has not been passed.

Chairman then read letter.

546. Now, as a matter of fact, has the auditor ever taken any proceedings to recover that money?—Alderman Kidd.—No.

547. This refers to the £148 9s. 8d., and not to the other amount?—Alderman Kidd.—Oh, I think it does; £146 was the original amount.

548. The total amount was £148 9s. 8d., and there were two surcharges, one of £1 6s. 6d., and the other of £2, both for interest. Did you sign the cheques for interest on that money?—I do not remember whether I did or not.

Alderman Middleton.—I never heard of that letter before.

549. CHAIRMAN.—Did any communication come to you with reference to the other matters, or was payment of the surcharges demanded?—Town Clerk.—No; and any action in the matter should have passed through me as petty sessions clerk.

Alderman Kidd landed in a further communication which he had received from the Local Government Board.

550. CHAIRMAN.—I find this is a letter dated March 11th, 1873, in which, after referring to their having taken counsel's opinion with regard to the bill of exchange, they say in regard to the other items:—

"It does not appear that the lawfulness of the auditor's reasons for the disallowance is questioned, the Corporation merely pleading want of report of the payments. The Local Government Board do not contest any order in regard to these items, but they think it probable that the auditor will not, under the circumstances, feel it necessary on him to take any steps to enforce the lawfulness of these two items on the present occasion, but he will not be justified in paying any similar payments in future."

Alderman Middleton.—There was a meeting of the Corporation called previous to these disallowances for various purposes, among others with regard to this bill of exchange, at which meeting I was present. The meeting was of the finance committee, of which I am a member. It was summoned for twelve o'clock. I went there, and stopped more than half an hour. While I was sitting there Mr. Gilmore came in and went out. I sat there for very nearly three quarters of an hour, during which nobody but Mr. Gilmore came in or out; and then, considering there would be no meeting, I went out.

551. CHAIRMAN.—In fact, your point is, that this resolution was passed at a meeting at which you went away, finding there was no quorum, and thinking that consequently no meeting would be held?

Town Clerk.—The minutes of each of these meetings are read at the subsequent meeting of the open council.

552. CHAIRMAN (to Alderman Middleton).—Were you present when the minutes of that particular meeting were read?—Alderman Middleton.—No.

553. CHAIRMAN (to Town Clerk).—Is it a common occurrence that, at a meeting fixed for twelve o'clock, or whatever hour may be appointed, the business is transacted when a member is gone away thinking no meeting would be held?—No; and I believe that it was held within the hour.

554. Is it a common custom that the business of the committee is transacted an hour after the appointed time?—It is not. Alderman Middleton several times

1849.
May 15, 1877.
A. W. W. W.
W. J. W. W.

complained of this, and then a resolution was passed that no meeting should be held unless a quorum assemble within half an hour. (Reads minute of resolution.)

545. (To Alderman *Middleton*).—Is there any other matter with regard to the Corporation that you wish

to speak of?—I wish to say, in acknowledgment of the Harbour Commissioners, that we contributed £500 first, to a contribution to the building originally, and that the remaining sums, making up the £1,080, were given as contributions to the clock tower.

Alderman
Woods.

Alderman Woods examined.

546. Are you a town councillor and alderman?—Yes.
547. What is the subject on which you wish to give evidence?—I wish to make a complaint in reference to the salaries of mayors' salaries mentioned in the auditor's report yesterday.

548. Were you one of the mayors during those six years?—I was mayor in the year 1865.

549. CHAIRMAN.—Oh, that was before any of the cases named in the auditor's report!

Witness.—The mayors did not appropriate their salaries in those years, but contributed them in whole or in part towards the erection of the town-hall. Alderman Lyons, for instance, gave £50, and afterwards £70.

550. When you were mayor did you give a contribution to your salary?—Yes.

551. Alderman *Middleton*.—The town clock can give the names and the amount of the subscriptions.

GALWAY.—MAY 22, 1877.

(Before Mr. CORRETT, Chairman of the Commission.)

GALWAY.
May 22, 1877.

Mr John
Redington.

Mr JOHN REDINGTON examined.

1. CHAIRMAN.—Are you the secretary to the Galway Town Commissioners?—Yes.

2. Immediately previous to that were you not chairman of the Commissioners yourself?—Yes. I had the honour of being chairman two years, and a Commissioner for several years before.

3. How long have you been secretary?—About a year and seven months.

4. Prior to the passing of the Municipal Reform Act of 1840 Galway was, I believe, a municipal borough?—It was.

5. When was the property of the corporate body vested in the Town Commissioners under the 6th & 7th William IV., cap. 117?—Under that Act, which passed in 1836—the first special Act for Galway—we elected twenty-one Town Commissioners, in whom, when the old Body Corporate was dissolved in 1840, all the rights and property of the old Corporation were vested, together with the advowsons of St. Nicholas. The next local Act was the present Governing Act, 16 & 17 Vic., cap. 200, under which twenty-four Commissioners were elected—six for each ward—the North, East, South, and West Wards.

6. For what period are they elected?—For three years—triennial elections.

7. What is the qualification for Town Commissioners?—A £30 rating to the relief of the poor.

8. Or being the owner of real property of the annual value of £20, and being on the register of voters for the borough?—Yes.

9. And the qualification for electors?—£5 and upwards, and also to be on the register of voters for the borough.

10. And then was there not, under the Commissioners Clauses Act incorporated with the Act of 1853, plural voting adopted here—the only town in Ireland in which I find it?—Yes.

11. Any person rated for £200 and upwards is, I find, entitled to six votes?—Yes, and for £50 one vote, for £100 two votes, and so on up to six votes.

12. Is that system of voting still in force here?—Yes, and I think it works very well too here.

13. Did not the rating powers of the Act of 1853 enable you to levy a improvement rate?—Yes.

14. According to Mr. Handcock's evidence before the Select Committee of the House of Commons that rate has never been levied?—No, but we are about levying one now for savings purposes.

15. The Act of 1853 gave you power to establish waterworks, and to levy a general improvement rate—very like the Town Improvement Act of 1854?—There is very little difference.

16. Have you ever adopted the general Act of 1854?—No.

17. Nor did you ever adopt the Act 9th George IV.?—No. We were entirely under the Act of

1836 up to the Act of 1853, and from that time we have acted under the latter.

18. In 1853 did you not obtain another Act, the time having gone by for establishing waterworks?—Yes. The time had lapsed, and then we got a new Act to establish waterworks.

19. That Act I believe gave you borrowing powers to the extent of £15,000 for waterworks?—Yes.

20. And enabled you to levy a general water rate of 3d. in the pound, and a domestic water rate of 10d. in the pound?—Yes.

21. Had not the Act of 1853 given you borrowing powers up to £40,000?—Yes.

22. Have you ever exercised any of those powers?—No.

23. Did you borrow all the money you were enabled under the Act of 1853?—We did.

24. Up to the time you got those rating powers for water, and those other powers which you did not exercise, was there any real property vested in the Commissioners or were you not dependent upon what are called the inputs and outputs customs which were in the nature of a toll through?—Yes.

25. Had not the inputs and outputs customs been fixed by a schedule to the Act of William IV., in lieu of the old "toll through" which you derived under charter?—Yes, under charters of Richard II. and Elizabeth, and a series of charters.

26. These tolls which formed the bulk of your income once amounted, I understand, to about £3,000 a year?—Yes, before the repeal of the Corn Laws.

27. Was there then a rapid decline?—Yes, to about £900.

28. At sometime—I don't know when—they seem to have been mortgaged to the Gas Company, under an Order of the Court of Chancery and a receiver appointed by the Court?—Yes.

29. How much of those tolls go to the gas company?—Five-sixths of certain tolls to the gas company, and one-sixth to the Town Commissioners.

30. What was the debt those five-sixths were to go in payment of to the gas company?—It was to pay the current lighting, and then to pay the interest on the mortgages, and if the five-sixths paid more than that, then to go in liquidation of the mortgages themselves.

31. But how did the Commissioners first become indebted to the gas company?—I think myself that in the passing of this Act of 1853, the Town Commissioners got into debt to the gas company. During this time they never charged anything for lighting, and in that way the Commissioners got into debt for gas.

32. An accumulated debt for gas. Did you afterwards get money from them to pay the costs of the Act?—No. I think the two—debt and costs—together amounted to £1,300, and then that went on increasing until it amounted to £1,500.

GALWAY
May 21, 1877.
—
Mr. John
Baskington.

33. You went on getting gas for town purposes without paying for it—We were paying as much as we could.

34. You went on exceeding your paying powers!—Yes; until it reached £3,400.

35. Was that the maximum amount it ever reached!—Yes.

36. What year was that!—It was about the year 1865.

37. I see, by Mr. McHugh's report (the Local Government Auditor), that upon the 1st October, 1868, it was £2,815 13s. 7d.—That is correct, that was the proper amount then due.

38. Was that the first time you are aware of any account having been taken and balance struck between the Commissioners and the gas company!—Yes.

39. Since that time, has any account been taken between the gas company and the Commissioners as to what the amount of the debt is!—No; we keep an account for ourselves.

40. I understand from the auditor's report, there is a serious discrepancy between the two!—Yes.

41. In what year was the receiver appointed!—In the year 1862 the receiver was appointed. On October 1st, 1868, an account was taken, and £2,815 13s. 7d. was the amount of the capital debt.

42. Since then, have the five-sixths of the tolls been sufficient to pay the interest on that debt, and any portion of the capital!—No; latterly the five-sixths has amounted to a good deal more; but for some years it was not sufficient even to pay the lighting.

43. Since then have you not reduced the number of lamps, and have you not in fact, as I understand, since 1868, reduced the debt!—I maintain it is reduced to £1,610.

44. Do you know what the gas company believe it to be!—I believe they think it to be £3,400.

45. Mr. McHugh, in September last, says, the balance is stated by your books to be £1,610 13s. 11d. "But," he adds, "the gas company claim a much larger sum, and they have received five-sixths of those tolls from the appointment of the receiver in 1862." Is that five-sixths of the gross tolls, or five-sixths after paying the collector and receiver!—After paying the receiver.

46. What salary does the receiver get!—£60 a year.

47. Has the collector a percentage!—The receiver is in fact collector. He gets it from the collectors, and he gets 250 a year for that; and he pays over five-sixths to the gas company. There are several small collectors at each gap. They receive from 12s. to 13s. a week.

48. Do they receive pounds!—No.

49. Does their number vary from time to time!—Yes; at times, for instance, we require to have an additional staff of collectors.

50. Are the expenses of the staff paid in the first instance by the receiver!—The gross receipts go into his hands, and he pays himself and his collectors, and then pays five-sixths to the gas company, and the remaining one-sixth to the Commissioners.

51. You only get one-sixth, but I see in 1875 you entered £1,000 3s. 5d. as receipts from tolls. How was that!—We debit ourselves with the whole, and pay the gas company so much.

52. Then the whole of these tolls only amounted to £1,000 3s. 5d.!—Yes; we debit ourselves with the whole of the revenues.

53. Is £1,000 3s. 5d. about the average amount of the tolls!—It has increased greatly for the last two or three years.

54. You say it fell off rapidly at the time of the repeal of the corn laws. Since that has there been a gradual recovery!—No; the increase has taken place within the last few years. For instance, the tolls and customs in 1872 were £1,036 8s. 9d.; in 1873,

£1,116 14s. 3d.; in 1874, £1,234 15s. 3d.; in 1875, £1,311 3s. 3d.; in 1876, £1,490 13s. 3d.

55. Those figures include, do they not, the receipts from the Crown!—Yes.

56. So that in point of fact you are receiving now in tolls and customs, and from weighing, about £150 more than you did in 1871!—Yes.

57. Why have no steps been taken to come to an understanding with the gas company as to the amount of capital debt still outstanding!—Well, I do not think we could well go to the Master to ask him to decide, as it will eventually come before him. We are waiting to pay off the debt.

58. I thought you got a provisional order in 1874 or 1875 to borrow £3,000 to pay off the debt. You got two provisional orders, one in 1874 and one in 1875. Did not one of them authorize you to borrow this £3,000, and the other to levy a paving rate of 2s. 1—That was in consequence of one of the judges of assize, Judge Fitzgerald, deciding that the Grand Jury could not present for the roads within the municipal boundary, the Town Commissioners being bound by their Act to repair them.

59. Up to the time of that decision of Judge Fitzgerald, had the Grand Jury of the county of the town repaired all the roads within the borough!—All.

60. Was that one of the reasons you never levied that 1s. rate under the Act of 1863!—The 1s. rate was not applicable for the maintenance of the roads; it was for improving the streets.

61. What was the year in which Judge Fitzgerald gave that decision!—1874.*

62. Immediately on that decision, I suppose, you found yourselves in a great difficulty!—Yes; we had to get up subscriptions to keep them in repair.

63. Then you got a Provisional Order in 1874 for a rate to be called the "two-shilling paving and repairing rate," and in 1875 you got another Provisional Order authorizing the Commissioners to borrow £3,000 to pay off the gas debt!—Yes.

64. How was it you did not pay off the gas debt!—The Loan Commissioners told us that they were not authorized to grant the money for such purposes.

65. Could you not have got the money from some other source even if the Loan Commissioners refused it!—I doubt that very much.

66. Was there not an Act confirming those Provisional Orders called the "Galway and Kingstown Provisional Confirmation Act"!—Yes.

67. I cannot understand how, having got the authority of the Act of Parliament for a special purpose, you did not try to get the money from other sources. However, they declined, you say, to lend you the money!—They did.

68. And have you not applied to any other quarter since!—No.

69. Under that Provisional Order of 1874, raising out of this decision of Mr. Justice Fitzgerald, was there an alteration made in the area of rating!—No; there was no change made whatever in the rating.

70. The area of rating is peculiar here, I understand. What is the municipal area!—A radius of two miles from St. Nicholas' Church.

71. What is the area of the county of the town!—Two miles further out, taking the same centre.

72. Is the latter contemporaneous with the Parliamentary area!—Yes.

73. Then the Grand Jury of the county of the town, I presume, still repair all the roads within the outer circle!—Yes.

74. So that, although the decision of the judges did not in terms lead to an alteration of the area of rating, it practically had that effect, as from that time forth the Grand Jury repaired only the roads in the outer circle, while the Town Commissioners repaired the roads in the inner circle!—Yes.

* I subsequently learnt from Mr. Baskington that no actual decision was given by Mr. Justice Fitzgerald at the Spring Assize, but that he having expressed an opinion to that effect, the matter was brought before the Court of Queen's Bench, who quashed the provisional order passed at the previous assize.

GALWAY.
(May 25, 1877.
—
Mr. John
Ratnagol.

73. That, of course, causes some inconvenience. For instance, what is the rateable value of the inner circle?—£26,160; and the rateable value of the outside radius is £2,328.

74. Consequently, I presume, the outside area pays much heavier rates for the roads than the inside area?—They do.

75. What is the average amount paid for the repair of the roads in the inner circle?—About, on an average, £1,000 a year.

76. Does a temporary rate cover that?—Yes.

77. What is the average cost for the outer circle?—About £700.

78. Well, then, if on a rateable value of £26,160 you require a temporary rate to defray a cost of £1,000, the outer circle, with a valuation of only £2,328, must, in order to raise £700, be more heavily taxed?—Yes. There have been several plans to alter the matter, but they have not been acted on.

79. Has not this report which you have handed to me been principally drawn up by your chairman, Captain O'Hara?—Yes.

80. It seems to have been prepared with a view to its being laid before the Select Committee of the House of Commons on Local Taxation?—Yes.

81. Do you desire on the part of the Commissioners to put this in as evidence?—What Captain O'Hara desired me to state was, that this report embodies the greater portion of the evidence he would have wished to give if present. I have been reminded by a Town Commissioner that there was a resolution of the Town Commissioners directing that report to be sent to the Select Committee of the House of Commons.

82. Has this report been laid before the Commissioners?—It has.

83. I see it suggests four different arrangements, but expresses no direct preference for any one of them, except so far as to say such an arrangement would be very unfair in so-and-so, giving the arguments pro and con in each case?—Yes. The report was then laid before the Commissioners, and they have adopted the third plan as the one they prefer. That is the plan extending the inner circle, or present municipal area, to the outer circle of four miles radius.

84. Numbers 3 and 4, I see, contemplate the abolition of the Grand Jury of the county of the town. Arrangement No. 1 is to extend the present municipal or two-mile radius to the Parliamentary boundary or four-mile radius; in other words, to make the Parliamentary and municipal boundaries coextensive, and to place the whole of this area under the jurisdiction of the Town Commissioners for all fiscal purposes?—Yes.

85. Then the second plan which would merge the roads in the area of the outer circle with the baronies on which they abut, would apparently increase the rates of Clare Barony by one penny in the pound; it would leave Moycullen Barony the same, and decrease the rate on Dunleelin Barony by, perhaps, one farthing?—That is so.

86. CHAIRMAN.—This second arrangement would, no doubt, be a benefit to the ratepayers of the outer circle, but then the ratepayers of the inner circle would be charged with about £450 a year more than they are at present?—Yes.

87. Numbers 3 and 4 are to some extent alike, in so far that they both propose to abolish the county of the town Grand Jury. The difference is that by No. 3 you would extend the jurisdiction of the Town Commissioners for all purposes to the outer circle. By arrangement No. 4 you would not do that, but you would absorb the outer circle, as in arrangement No. 3, with the baronies on which they abut?—Yes.

88. Now read me the resolution passed when this report was before the Town Commissioners.—

"June 15th, 1876.

"The report of the Committee of the Town Council on Local Taxation was discussed at some length, and on the motion of Mr. Davis, seconded by Mr. Gill, arrangement No. 3, referred to in the report, was agreed to by a majority of votes to two, and the Chair-

man agreed, on behalf of the Commissioners, to give evidence on the subject before the Town Taxation Committee at the present sitting of Parliament. The Chairman declined to vote on the question."

89. Since you got powers under this Provisional Order of 1875 (the Act was not passed until 1875, although the order was obtained in 1874), have you ever levied a 2s. rate?—We did not levy the whole of it; we have levied two 10d. rates.

90. With those two 10d. rates have you been able to keep the roads in proper condition?—There have been some complaints.

91. Had you to appoint additional officers?—We had.

92. Have you a borough surveyor?—Yes. We pay him £50 a year; besides this he is to have £200 at the closing of the sewerage.

93. Have you been executing additional sewerage works?—Not until lately.

94. Since what date have you been engaged on these?—During last year principally. We borrowed a sum of £8,000 to make a complete system of sewerage in the town, under the Act of 1853. We will levy a certain amount to pay off the interest of that £8,000. It will come to about 4d. in the pound.

95. From whom did you get that £8,000?—From the Board of Works.

96. How long ago?—It is about a year and a half ago. We have only got a portion of it yet; we are taking as we require it. We have only about £2,000 and odd drawn out as yet. The first instalment, received in October, 1875, was £500. We drew then in October, 1876, £1,000, and in January, 1877, £1,500.

97. That is £3,000 out of the £8,000, not £2,500?—Yes. That is repayable at the end of thirty years. We pay £5 8s. 8d. to repay principal and interest for every £100 annually.

98. And as yet you have paid that regularly?—Yes.

99. With the exception of the debt to the Gas Company, is your only other capital debt the £15,000 you borrowed from the Loan Commissioners to pay off the debt on the waterworks?—Yes; Ross and Mervyn were the persons who had the works, and they had a mortgage on the works.

100. You borrowed, I understand, the £15,000 from individuals in the first instance; so that in fact you did not get this loan from the Public Works until afterwards?—We only got the loan from the Public Works to pay them off in 1875, and having only a mortgage on the waterworks of £13,531, that left a balance in the hands of the treasurer of £1,569. We had the waterworks at Salskille to repair out of that too. That is the money we borrowed the £15,000.

101. Do you pay for that at the same rate, £5 8s. 8d. per cent.?—Yes; that pays capital and interest.

102. What were you paying on the old mortgage?—Five per cent. We have it now on most equitable terms.

103. By this time have you paid three instalments of that?—Yes.

104. Those two loans from the Public Works Commissioners, and the debt to the Gas Company constitute, you say, all your capital debt?—Yes.

105. How does that now stand?—What is the balance due to the Public Loan Commissioners after deducting the three instalments that have been paid?—£13,856 15s. 6d. is the amount due on the waterworks. Then on the £3,000 taken up for sewerage purposes £2,805 17s. 3d. is due to the Public Works Loan Commissioners.

106. Do you think you will require the entire £8,000?—I think not.

107. Then the other debt you put at £1,610 13s. 11d. to the Gas Company, which may be more or may be less, when the account is taken?—Yes, I think that is accurate too. The only difference between us is that the Gas Company charge interest

"The report of the Committee of the Town Council on Local Taxation was discussed at some length, and on the motion of Mr. Davis, seconded by Mr. Gill, arrangement No. 3, referred to in the report, was agreed to by a majority of votes to two, and the Chair-

on the current balance for the year, and we think they are only empowered to charge interest on the mortgage, and not on the balance at all.

116. You contend, I presume, that your payment should be first taken as for the current consumption of gas, and they are then entitled to charge interest only on what remains of the original mortgage, after deducting all that has been paid off?—Quite right. In consequence of this transaction we keep no less than four different sets of accounts.

117. The first is your general account?—Yes, what we call our Number 1 account, which is the tolls and customs account.

118. I will just go through these four accounts very shortly. Have you any treasurer beside the bank?—No.

119. Then I will go through them with you. For the year ending September 30th, 1875, you started, I see, with a balance in the bank on the general account of £21 13s. The gross amount of tolls was £298 13s. 10d. Then I see a number of debts and weighbridges at which collections are made?—These are what are called "customs."

120. Are all these for weighing?—Most of these are.

121. What is the distinction between tolls collected by the receiver and these other customs?—The tolls are those ones mentioned in the schedule of the Act of 1853; the customs are not mentioned in it.

122. Under what authority do you levy these customs?—Schedules B and C are the "Ingate and outgate tolls."

123. Are schedules B and C all that are mortgaged to the Gas Works?—Yes.

124. Then schedule D, the only revolving one, contains these fees for weighing and for market standings?—Yes.

125. Are the ingate and outgate tolls in the Acts of 1853 and 1854 identical?—Yes.

126. From standings and from fees, from weighing and stallages, and so forth, in connexion with different articles and in different streets in the town (where you are empowered to hold markets, I presume), you collected in one sum £517 7s. 3d.?—Yes.

127. Are these markets held in the streets or are there covered markets?—They are held principally in Eyre-square.

128. Is this an open market?—Yes; we have no covered markets.

129. Are these "standings" put up in the street?—They are small sheds put up near the church of St. Nicholas, where they sell apples, &c.

130. By the Act of 1853 you were, I think, empowered to establish public slaughter-houses?—Yes.

131. Have you done so?—We have.

132. But I gather from what I have seen in the newspapers here, they are not in proper working order?—No. We have paid very heavily for them; we expended £330 last year on improving our public slaughter-house, and it is not finished yet.

133. I see you received on the slaughter-house account £50 1s. 10d. What was that receipt for?—For cattle slaughtered there.

134. In fact, then, the slaughter-house is so far finished that it is used to some extent?—Yes. There are no sheep, however, killed there yet.

135. Here is also another item of £18 from private slaughter-houses. What is that for?—For licences.

136. Are there any slaughter-houses in the town that are not licensed?—None that I know of.

137. Are they all reported on by your officer of health?—Yes. It is the town steward who regulates them.

138. Is the town steward executive sanitary officer?—He is collector of water rates also.

139. Is he responsible for the slaughter-houses being kept in a proper sanitary state?—No, it is the sanitary officer who does that.

140. Is the town steward only responsible for collecting the money?—That is all.

141. Is Eyre-square the property of the Commissioners?—Yes.

142. Had they that property at the time of the passing of the Act of 1853?—Oh, long before that.

143. Then, at the time of the passing of the Act of 1840 had they that property?—They have only a lease of it from Hedges Eyre, so that I was not very far out when I said we had no property. It is a lease "for ever," but it is to be kept as a square.

144. Do you get anything for the ground on it?—Yes, and we get £9 a year from the private inhabitants for the use of the keys.

145. You got £10 from the square last year. What rent do you pay for it?—£1 a year.

146. Then we come to £3 4s. 6d. for "Fines on watchmen" and "Rent of land," what is that?—The rent of a small patch of land near the measure depot, which we let out at 32s. 6d. a year.

147. "£10 7s. 3d. from small fairs," what is the meaning of that?—We charge customers on the cattle coming into the fair.

148. Are these two classes of fairs held in the town?—These are several small fairs held in the town.

149. Is there a fair-green?—No; the fairs are held around the square. It would not benefit the square much to have a fair held in it.

150. How often are these fairs held?—Quarterly.

151. What is the amount of the petty seasonal fines?—£21 4s. 8d.

152. You received, I see, also 12s. 3d. for "Interest allowed by the treasurer"?—Yes; it's the first onset of prosperity.

153. These, with some other trifling items I need not mention, your total receipts come to £1,690 7s. 6d., out of which you paid the receiver and collector of tolls and watchmen, £340 14s. 4d. These are lumped together by the auditor. Have they anything to do with each other?—The watchmen are sometimes called on to collect.

154. Did you pay the gas company £623 9s. 7d.?—Yes.

155. Then I find additional wages allowed by the master to the toll collector amounting to £153 16s. 6d.?—That is what we have to pay them. We have to collect for the fairs at all the different places.

156. Then as I take it that £340 14s. 4d. is the permanent cost allowed by the master for receiving and collecting, including what is paid to certain watchmen employed in collection, and that in addition to that there is a further allowance amounting last year to £153 16s. 6d.?—Yes.

157. Does the extra or additional cost amount to that on an average?—Yes.

158. You paid also further £36 0s. 8d. to watchmen; are these night-watchmen?—Yes, we have now only three. We pay them an average of 12s. a week wages.

159. Are they on duty all night?—They are supposed to be.

160. These are I suppose the men who were fined. Is there anyone to watch them?—They are under the supervision of the town steward.

161. What salary does the town steward receive?—He only receives £25 a year, but he makes some £20 odd as collector of water-rates.

162. What time do these watchmen go on duty at night?—They go on at ten at night, and they go off duty at six in the morning.

163. The constabulary patrol up to eleven o'clock, I think?—Yes.

164. Do the watchmen work well with the constabulary here?—They are so few they can scarcely fight with the constabulary.

165. Have you heard any complaint of them from the constabulary?—No.

166. Or from the inhabitants?—No; there had been some complaints previously, but lately they have been doing their business pretty well I believe.

167. Do you give your square gardener £28 14s. a year?—Yes. You see we have not much profit from the square.

GAZETTE.
May 21, 1877.
Mr. John
Evilgoston.

102. The slaughter-house keeper gets £30 2s.; is that paid weekly?—Yes, he gets 15s. a week.

103. Your own salary, £63 11s. 3d., appears an uneven sum!—There was something due on a previous year. My salary is £100 a year, and it is divided over different accounts—for instance, there's £50 odd in one account, and £50 odd in another, and so on.

104. £73 19s. 10d. comes next, described as a balance of repairs to slaughter-house, but I am afraid it is not a final balance!—No, we commenced other operations after paying off that balance.

105. Rent and taxes, including three years' rent of slaughter-house came to £105 12s. 7d. Is £38 a year the rent of the slaughter-house?—Yes.

106. And £29 8s. 1d. went for the repair of lamps. Do you pay all the repairs of the lamps?—Yes; formerly the company did the repairs I think; we do them now.

107. Do you light at so much per lamp, or so much per thousand cubic feet?—At so much per lamp.

108. How much do you pay per lamp?—£4 per lamp at present. If you take off the three months when we do not light it is about £3 4s. per month.

109. Who regulates the hours during which you are to light?—We have a regular agreement to light at certain hours. The town steward looks after that, and sees if they are properly lit, and at the right hours.

110. You say you have reduced the number of lamps. Are they sufficient to light the town now?—I do not think the public have been inconvenienced by the reduction.

111. The best test would be whether there were any complaints!—There have been some isolated complaints of inconvenience, but I do not think the public really have been inconvenienced by the reduction.

112. Then we come to £5 8s. 1d. for new weights for the crane, £8 for election expenses (of Commissioners, I presume), £11 11s. 6d. for the clothing of watchmen, £11 repairs of town clock, and £46 15s. 3d. "call-house"?—Yes. There are two call-houses.

113. Have you different places of collection for the ingate tolls at the outside of the town, as in Cork?—Yes.

114. So that every kind of produce liable to those tolls pays as it comes in or goes out?—Certainly.

115. Well that is a source of revenue that has been reported against a good many times I think. It was reported against very strongly by the Fairs and Markets Commissioners, and also commented on severely by the Commissioners of 1835!—Yes, and in 1833, Lord Rodolph was very much against it.

116. Your "printing and billposting" seems to have come to £17 2s. 3d., and "low costs" £12 8s.; what were these costs for?—Some small expenses at sessions or something of the kind.

117. The salary of town steward, £25; and sundries amounted to £49 13s. 11d., leaving a balance of £134 6s. 1d. in the treasurer's hands on No. 1 account?—Yes.

118. I do not see any dog-tax brought into this account!—The Grand Jury got the dog-tax.

119. How is that?—I cannot say.

120. Did you ever apply for it?—No, we were not empowered to apply for it. But for our member, Dr. Ward, we would not even have the fines, which by some mistake were not put into the bill. Our special Act does not empower us to get the fines or the dog-tax.

121. Then how do you pay the fines?—Under the Fines Act. At the time the Town Commissioners generally were to get the fines; Dr. Ward saw we were not included, and he managed to get a clause including us put into that Act.

122. Number 2 is the road account. You started with a balance due to the treasurer of £484 7s. 7d. 1s. Yes, we got an advance from the bank for it. At that time we had not levied a rate, and had not

taken up any of the money we were entitled to, and the bank advanced us the money in the meantime.

123. But in 1876 you levied a 10d. rate, and apparently collected £1,178 19s. 9d. in addition to which you got £69 8s. 8d. on account of Government property, and £29 11s. from the sale of manure?—Yes.

124. On the other hand you paid £1,543 13s. 4d. for street repairs and cleansing, and then while you were in debt to your treasurer £484 7s. 7d. at the beginning of the year, you owed him £553 6s. 8d. at the end of it. How was it that you did not endeavour to get this work done by contract? Did you find it cheaper to do it yourselves?—No; we let out the roads ourselves whenever we can, but at present the sewerage works are going on through the town, and we could scarcely get a contractor to take them in their present condition. We are most anxious to set them by contract, and will certainly do so when the works are completed.

125. Are these works being done by yourselves under your borough surveyor?—Yes. We have a borough surveyor, and two other engineers in temporary employment especially for these works. They are consulting engineers.

126. Number 3 is the sewerage account. This is in fact your sanitary account also?—It is.

127. Have you any rate at present for that account?—No rate struck.

128. But you received £500 in 1876 on account of the £5,000 loan?—Yes.

129. You got £39 repayment from the Local Government Board on account of salaries of sanitary officers?—Yes.

130. You also received £3 from the Board of Erasmus Smith's School on account of opening a sewer, which with £1 8s. 6d. interest allowed by the treasurer makes up a total of £234 8s. 6d.

131. What does your sanitary staff consist of?—A consulting sanitary officer, at £10 a year. He has not very much to do.

132. Does he or not consult with the Commissioners?—I think since he was appointed he was consulted once.

133. When was he appointed?—In November, 1874.

134. Is he supposed to overlook the other sanitary officers in any way?—No, he is not expected to do anything except to attend when he is called in consultation.

135. Is he a dispensary medical officer?—No.

136. How many dispensary medical officers have you?—Two.

137. What do they get?—They get £15 a year free of us, and something from the union boards.

138. Have you an executive sanitary officer?—We have an executive sanitary officer at £40 a year.

139. Does he hold any other office under the Commissioners?—No.

140. Does he attend all your sanitary meetings?—Yes.

141. How often are the meetings held?—Once a week.

142. Are the reports of the different sanitary officers produced?—Yes; the different reports are generally read along with his own report.

143. Is any action generally taken upon them?—The Commissioners are most anxious to have the sanitary laws carried out, but they find some difficulty, I think, in carrying them out. Whether it is the law is so new, I do not know; but I do not think it is properly carried out. They so far set upon the reports as to make orders upon them, but find a difficulty afterwards in carrying them into effect.

144. Is this in consequence of the resistance of the people, or the negligence of their officers—or is it that when the people resist they experience a difficulty in getting convictions from the magistrates?—I think myself the magistrates are rather lenient to the parties summoned, and that the sub-sanitary officers are lenient also.

145. Who are your sub-sanitary officers?—We have

Q. A. L. L. L.
M. J. J. J.
M. J. J. J.

only one for the whole town, and his salary is £50 a year.

204. Does he hold any other office?—No; he has no other public appointment.

205. He is really your inspector of nuisances?—He is. He is the man from whom the sanitary officers get their information.

206. And therefore primarily the man from whom the Commissioners get theirs?—Yes.

207. You think he is rather "slack"?—Well, I think he might be more strict if he had his salary increased, and devoted his whole time to it.

208. In short may I take it you are not satisfied with the way in which the Sanitary Act is carried out. You don't think it is carried out in the way it ought to be?—Certainly not.

209. What do you think would be a more efficient system?—I think if you had one well-paid official to look after these matters, and hold him responsible for the efficient discharge of his duties.

210. Do you think the sub-sanitary officer should be paid such a salary as would enable him to devote his whole time to the work?—Yes.

211. And would you place over him a well-paid medical officer, who should be constantly sanctioned by the authorities, and to whom all reports should be made in the first instance before they came to the Board?—Yes, and I would make those two responsible for the sanitary condition of the town.

212. You would then have a well-paid inspector of nuisances and a well-paid medical sanitary officer?—Yes.

213. Would you not require an executive sanitary officer to keep the books and records?—Yes; there is a record kept by the present executive sanitary officer.

214. He keeps here, I suppose, as elsewhere, a book in which the reports of the sanitary officers are all recorded with the order of the Board made upon them?—Yes.

215. Can you mention any particular way in which you think the Sanitary Act is insufficiently carried out? Are the slaughter-houses thoroughly inspected? Are there a nuisance in the town or not?—I don't think we have had any report about them for a long time from the sub-sanitary officer.

216. I mean as regards the private slaughter-houses?—No; no report whatever.

217. Do the inhabitants complain of them? Would any persons walking along the streets find them a nuisance?—Mr. John Gunning complained of a slaughter-house near his own house, which he considered a dangerous nuisance.

218. Did the Commissioners take any steps respecting that slaughter-house?—They have closed that slaughter-house.

219. Have you got an inspector of lodging-houses?—Well, the sub-sanitary officer, he is obliged to inspect them.

220. Have the Commissioners framed any by-laws with respect to the inspection of them?—They have.

221. Are they enforced?—I am afraid they are a dead letter.

222. Have any complaints been made by the sanitary officers—they are the dispensary officers, and have you no sanction to visit those houses when attending to the sick—as to the way in which those lodging-houses are kept?—We have one or two reports on the subject.

223. When you have had reports made to you have you taken action upon them?—I am afraid not much. We have this great difficulty, that they scarcely come under the designation of lodging-houses. For instance, at fair times the townspeople take in persons for a night's lodging, and they go away next morning. They are not licensed lodging-houses.

224. You have adopted certain by-laws with regard to them?—We have.

225. And you cannot say of your own knowledge whether they are enforced?—No.

226. Are the houses generally connected by drains

with the main sewers of the town? Of course those main sewers in course of construction cannot be connected with them yet, but where there are old main sewers, have any connecting drains been constructed?—I cannot say.

227. Do you think when the works in course of construction under the present scheme are completed there will be a complete system of sewerage over the town?—Oh, yes.

228. Where shall you drain into?—Into the water below the tideway, and a portion into the sea, the outlet will be below the tideway.

229. Are there any crying nuisances, which have come under your observations, which ought to be abated, and which are not?—No; not at present.

230. Were you speaking generally, and not with reference to any particular matter, when you said the Sanitary Act was not carried out satisfactorily?—Yes.

231. We will now just turn to the expenditure side of the sewerage account. Low costs in connection with this loan of £8,000 came to £14 13s. 6d.; sanitary officers' salaries, £120 6s. 3d.; proportion of secretary's salary, £15; sewerage plans, £196 13s. 4d.—Yes; the plans themselves were submitted to the Local Government Board and the Board of Works.

232. £44 8s. 5d. laid out in the construction of small sewers?—Yes.

233. £14 9s. 6d. fast instalment on account of loan. I presume a broken part?—Yes.

234. £90 on account of repairs to slaughter-houses?—Yes.

235. Leaving a balance in the hands of the treasurer of £36 13s. 7d.—Yes.

236. Then the only other remaining account is the waterworks. You started with a balance in hand of £1,611 10s.—was that the balance remaining of the loan?—Yes, after paying off the mortgage.

237. Water rates collected and lodged, £574 4s. 7d., and interest allowed by treasurer, £5 3s. 2d.—Yes.

238. On the other side your salaries and wages amounted to £186 8s. 2d.; materials, £281 3s.—what were those for?—For additional works—the extension to Boldferr.

239. Rent, £22 4s. 6d.—Rent—that is of the ground where the reservoir is situated.

240. Taxes, £25 19s. 2d.; instalment of loan and interest, £328 4s. 7d.; renewal fines on loan, £21 10s. 3d.—That was the lease of the reservoir.

241. Then what is compensation for damages to lands, £58 4s. 6d.—That was the damage done to lands by flooding, in consequence of an obstruction in the tail race. Owing to an obstruction in the tail race, the lands were flooded, and the parties possessed the Commissioners, and we had to pay them £58 4s. 6d. for damages to lands.

242. £26 13s. 10s. costs—was that partly incurred in resisting those claims for damages?—Some of it.

243. And partly in connection with the loan?—Yes, paying off the mortgage.

244. That left you with a balance in hand apparently of £461 8s. 7d.—Yes.

245. Your financial position is shortly this. You owed on your streets and road account, £553 6s. 8d.—That balance arose from the collector not having completed the collection of his 10d. rate. If that was collected in we would have a balance in our favour. It has not been all collected yet.

246. On your No. 1 account, your general account, there was a balance in your favour of £154 6s. 1d.—Yes.

247. You owed £453 4s. 8d. on your streets and road account?—Yes.

248. And the balance in your favour on the other three accounts amount to £623 13s. 5d.—Yes.

249. You do not seem to have paid any interest to the treasurer or to anyone?—There was no interest paid; we were fully aware we could not pay it.

250. And you were allowed some interest by your treasurer on the balance in your favour?—Yes.

251. Is the town now well supplied with water?—

RAILWAY.
May 21, 1877.
Mr. John
Redington.

There is an ample supply. Last year there was a great drought in the summer, and the water was a little short, but that was in consequence of an obstruction, which has been got rid of.

254. Have you put up, as required by one of your Acts, six public fountains?—We have complied with that fully—we have more.

255. Have you a high pressure supply?—Well, a fair pressure—a sufficient pressure for the requirements of the town. We contemplate, by-and-by, to

put on a further pressure. We have already gone on to supply the new barracks, and if necessary, we shall erect a steam-engine.

256. What distance is the reservoir from the town?—It is quite close to the town.

257. Have you had the water analysed by Dr. Casson?—Yes, it was analysed by Dr. Casson previous to the construction of the waterworks.

258. And was the report satisfactory?—Oh, it is capital water—it is as good as the Vorty.

Mr. John A.
Brown.

MR. JOHN A. BROWN examined.

259. CHAIRMAN.—Do you desire to give some evidence upon this inquiry? Be good enough to let me know the point and your position?—I have property in the outer district. It is situate within the county of the town, but not within the municipal borough.

260. You wish to give evidence then in relation to the proposed alteration in the municipal area?—I do; and I commence by stating that the Grand Jury cess levied in the spring of 1874, upon the whole district, then undivided, was 1s. 2½d. in the pound. That was the Grand Jury cess for the whole of the county of the town, including the municipal area. That was for the repair of the roads and streets, and for the expenses of the county surveyor of the county of the town, who had then a salary of £150. That was the total cess levied, and covered everything, including the imperative assessments. For the preceding half year it was 1s. 4½d., making 2s. 7d. for the year. Now, in 1875, the spring cess was 1s. 5½d. for the whole county of the town. The revenue took place in that year, and the first levy in the outer boundary was 11½d., and 10d. levied by the Town Commissioners under the Local Government Board order. The Grand Jury levied 11½d. for the half year, and the Town Commissioners levied, for the first time, 10d. in the pound.

261. Is this what you wish to say—that inasmuch as the maintenance of the roads and streets within the inner circle has been now entirely cast upon the Town Commissioners the ratepayers in the outer circle have to pay a larger cess for the maintenance of the roads within that circle than they had before, the property in the municipal area or inner circle no longer contributing to the roads outside their boundary? Do you, therefore, consider that there ought to be some further legislation on the subject by which the outer district should be relieved?—Yes.

262. Would you say that one or other of these four schemes which are embodied in the report of the committee should be adopted?—I object to all those schemes. My objection to them is this. The expense of maintaining our roads is £700 a year, £100 of which goes to the county surveyor. If that £100 was thrown over the whole district, we would be perfectly satisfied and require no further legislation, and let things remain as they are.

263. If the whole of the salary of the surveyor in respect of the county of the town, were made a charge on the entire Parliamentary borough, you think no further legislation would be necessary?—Yes. We maintain that is what should be done; and what we intend is that before the next session, we shall have an opinion upon the subject, and there is a movement among the proprietors in the outer district to bring it before the Court of Queen's Bench.

264. First of all we have the broad fact that you have now to pay a heavier rate?—Yes.

265. Would you think any one of the four arrangements a good and equitable arrangement for remedying it?—I do not; and I may state my reasons for objecting. I object to our being liable for any borough rate. Our district is very much of the same character as the county at large. The inner district is occupied by suburban villas, and the lands are for the accommodation and benefit of the inhabitants of the town, and they may fairly contribute to the borough rate.

266. But you object to this outer two-mile district being included in the boundaries of the town?—Yes.

267. What would satisfy you, and satisfy, you think, some of your neighbours, would be that the cost of the surveyor, £100 a year, should be spread over the whole Parliamentary area?—Quite so.

268. Was not the salary of the surveyor £150, and has it not been reduced to £100?—Yes.

269. Was not that in consequence of the withdrawal of the streets and roads within the municipal area from his supervision?—I suppose so.

270. Has he any duties to perform in connection with the county road?—He has, as county surveyor.

271. Does he get paid by the county Grand Jury?—He does £150, and that sum is regulated by his having the other £100.

272. But surely all the duties he performs for the county at large must be considered a charge upon his salary as county surveyor?—He got paid before by the county of the town and by the county at large. These are now consolidated.

Mr. Redington.—We have now to pay another surveyor.

273. CHAIRMAN (to Witness).—Is there any other point to which you wish to draw attention?—There is. Under the last Act of Parliament, the Commissioners levy a toll on all horses and cattle passing through the town not exhibited for sale, nor resting for a moment. For instance, if I am sending cattle from west to east, I am charged so much per head for cattle passing through the town. For horses, you pay 2s.; mares or cows, 1d.; cows, 2d.; and pigs, 1d. Now I object to the levy of toll upon horses or cattle, except for the purpose of sale. I do not think it was ever the intention of the Legislature to levy a toll upon cattle passing through the town, or driving or shifting them from one farm to another, or that proceedings should be taken by the Town Commissioners to enforce it.

Mr. Redington.—They have full power under the Act to do so, but if the parties are merely passing their cattle within the gaps of the municipal area, we do not charge them anything. The Commissioners have full powers of exempting anything in that way. Mr. Brown ought to feel greatly obliged to them, for allowing his horses to go in and out that way.

Witness.—I think that clause must have slipped in in some way into the Act, and it ought to be expunged.

274. CHAIRMAN.—By the 47th section the Town Commissioners have power to vary and release all the tolls.

Witness.—The great hardship and anomaly of the thing is this. If I bring in a beast and do not sell it I pay nothing, but if I bring in a herd of cattle from west to east, not for the purposes of sale, I pay for them.

275. CHAIRMAN.—Is there not a toll levied upon all cattle as they come in?

Mr. Redington.—There is, with the exception of fair days. On fair days there is a different mode of collection; we merely charge on the cattle sold. We do not charge under schedule C or B. There is a different mode of collection under a different schedule. On market days if they expose anything, we charge them, whether they sell or not. On a fair day we only charge for the cattle sold.

276. Witness.—Every day they charge for cattle driven through the town.

Mr. Redington.—Certainly; that is the law.

277. Witness.—And if I drove them back the same

day they would charge them again. It is a matter I think ought to be brought before the Select Committee.

Mr. Redington.—In any case of that kind the Commissioners would be sure to remit when their attention was called to it. Where there is a case of hardship of paying toll twice in the one day or a few days after for the same cattle the Commissioners always remit the toll.

275. WITNESS.—It is with the view to future legislation that I bring forward this toll. There is another

matter as to goods to which I wish, Mr. Commissioner, to call attention. All goods brought down by train for private use beyond the town or going to traders in the small surrounding towns would pass free, whereas if I brought down some carts for my horses I would have to pay toll upon them. I think it is right and fair there should be a toll upon animals or merchandise from which the parties are to derive profit, but I do not think it just that I should pay toll on goods or cattle merely passing into or through the town.

GALLAGHER.
May 22, 1877.
Mr. John A. Brown.

Mr. DENIS KELLY examined.

Mr. Denis Kelly.

276. CHAIRMAN.—Are you one of the Town Commissioners?—Yes.

280. You desire to give evidence?—I do, with reference to the surveyorship. The question of the county surveyorship and the salary was twice before the judge and Grand Jury at two sittings. One of the judges after hearing all the arguments on both sides, took the papers with him to Dublin to consider the matter; and he decided that £73 a year should be paid to the county of the town surveyor; £5 by the municipal body for attention to this court house, and the balance by the outer portion, the two-mile radius, outside the municipal area. The matter was again brought before Judge O'Brien at the last session and he increased the salary to £100 a year, £5 of which

he considered should be paid by the municipal area and the £95 by the outer circle.

281. Is £5 then the whole proportion of the salary which he receives in respect of the court-house and that is made a charge on the municipal area?—Yes, this court-house being exclusively within the municipal area and no use whatever to any other portion.

282. As a matter of fact is that £5 paid by you?—The treasurer to the Grand Jury pays it.

Mr. Redington.—The Grand Jury have the power of levying for certain purposes imperative assessments and this £5 is apportioned upon the inside area. This is a matter entirely with the Grand Jury, and the Town Commissioners have nothing to do with it.

WITNESS.—This is an imperative assessment the same as for lunatic asylums, gaols, &c.

Mr. JAMES FERRIS examined.

Mr. James Ferris.

283. CHAIRMAN.—On what subject do you wish to give evidence?—I wish to object to the Commissioners not taking contracts for the repair of the streets of the town. I think they should be all let out to contractors.

284. Mr. Redington, Secretary to the Commissioners, has already told me the Commissioners are too

desirous of doing so as soon as they finish the sewerage works; but that they felt, while the sewerage works were going on, they probably could not contract on reasonable terms. Do you not think there is a good deal to be said for that view?—At the present moment the streets cost twice as much as before.

285. I will ask Mr. Redington further as to that.

Mr. REDINGTON recalled and re-examined.

Mr. John Redington.

286. CHAIRMAN.—I see in the minutes of the report, regarding and clearing are put in a bulk sum. How much is required and how much is clearing?—The men are paid so much on weekly pay-sheets, and there is a cheque drawn by the Town Commissioners for this. These pay-sheets are duly certified by the town steward to be correct before they are paid. They sign their names when they are paid in a certain column, as having received the amount.

287. Does not that pay-sheet in any way distinguish the people employed on the repairs of the streets from those employed in the scavenging?—No.

288. Can you say whether or not more is now expended on the repairs and maintenance of the roads, including the scavenging inside the municipal area, than was expended by the Grand Jury upon them?—More is certainly expended, for this very reason, because the contractors now would charge double what they would do five or six years ago.

289. Are the Grand Jury paying their contractors more now?—Certainly, whenever the old contracts fall through.

290. How is it you do not keep separate accounts for the scavenging and the repairing?—The very same men are employed on one set of works as the other.

291. Do you pay them at the same rate for each class of work?—We pay them the same for each class of work.

292. Do you mean you pay them at the same rate whether they are breaking stones, or laying stones, or sweeping the streets?—Just the same; they are the same class of labourers.

293. How many men have you had employed weekly, during the last year?—I could not exactly say; there are more in winter than in summer. Twenty-five, I see, is the number on last week's sheet.

294. Mr. GILL (one of the Town Commissioners).—Would you, sir, ask him if some of the Commissioners are not themselves contractors?

295. CHAIRMAN (to WITNESS).—Is it a fact that there are any Town Commissioners who are contractors themselves for any work undertaken by that body?

WITNESS.—There is no contractor under us who is a Town Commissioner. If you state a case, sir, I will try and answer it.

296. CHAIRMAN (to WITNESS).—What contracts have you now set?—We have a contract for printing.

297. Who is the contractor?—Mr. John P. Ferdinand is contractor for some of the printing.

298. Is Mr. John P. Ferdinand the Commissioner of that name?—No; Mr. Lewis Ferdinand is the Commissioner.

299. Mr. GILL.—May I ask, sir, who is Mr. John P. Ferdinand?

WITNESS.—He is the son of Mr. Lewis Ferdinand.

300. CHAIRMAN.—Who is the other contractor for the printing?—Mr. O'Connell, of the *Gallway Express*.

301. Is he a Commissioner or the relation of a Commissioner?—No, he is not.

302. CHAIRMAN (for Mr. GILL).—Is no other contractor a Commissioner?

WITNESS.—Nobody else.

303. Who is the person who supplies the horses and carts, and the road materials principally?—There is a man named James Kelly, who, I believe, has two carts employed.

304. At how much a week?—I cannot tell you that.

305. And who is Mr. James Kelly?—He is a son of Mr. Denis Kelly.

306. And is he a Town Commissioner?—He is.

307. Then in fact there are two Commissioners whose sons are contractors for or do work under the Town Commissioners—Mr. Kelly and Mr. Ferdinand?

—Mr. Kelly is not a contractor. He has two horses at work, and he carries in broken stones for the Commissioners for the maintenance of the streets, and it is weighed at the public weigh-house, and he is paid for it by the load. Mr. Ferdinand is a contractor for some

GALWAY.
 May 22, 1871.
 Mr. John
 Redington.

of the printing. He is also contractor under the Poor Law, and I believe there was an inquiry by the Local Government Board, when it was brought under the notice of the Local Government Board that the son of a Poor Law Guardian had a contract. They held an inquiry into the matter, and it was proved that Mr. Ferdinand was a bona fide contractor.

308. Is his father in partnership with him, or is his father interested, directly or indirectly, in this contract?—The way it came out on the inquiry was this—that Mr. John P. Ferdinand had the jobbing portion of the press to himself.

309. Is Mr. Ferdinand the Commissioner the proprietor?—No, he is the proprietor of the newspaper, and Mr. John Ferdinand had entirely to himself the jobbing portion of the press.

310. (To Mr. Ferdinand).—Perhaps you can explain the relative positions of your son and yourself in this matter?

Mr. Lewis L. Ferdinand.—I am the Town Commissioner, and proprietor of the *Galway Post-Office*. Mr. John P. Ferdinand, my son, has the jobbing office.

He is also contractor to the Grand Jury. He was also contractor to the Poor Law Guardians, and I am a Poor Law Guardian. An objection was raised to his holding the contract, and a sworn inquiry was held before the Local Government Inspector, Dr. Brodie. I went forward and showed that he was a bona fide contractor, and that the jobbing office connected with the newspaper was his sole property.

311. Do you derive any profit from the business?—None.

312. What age is he?—Twenty-two years of age.

313. Was he of age when he had this contract?—He had no contract before he came of age.

Mr. Kelly (to the Chairman).—I am not in the slightest way interested, directly or indirectly, in my son's contract. My son is of age, working independently for his own benefit independently of me.

314. Has your son a contract?—No; his horses are employed simply by the day, at five a day.

315. (To Mr. Ferdinand).—Have you given receipts for your son, Mr. Ferdinand?—I never gave a receipt in my life for him.

Mr. John GEL.

Mr. JOHN GEL examined.

316. Are you a Town Commissioner?—I am. There is another matter I would wish to bring under your notice. I happen to be a Harbour Commissioner also—

317. CHAIRMAN.—As you are a Harbour Commissioner I will ask you this—Are the Town Commissioners of Galway in any way interested in the receipts of the Harbour Commissioners?—No, not that I am aware of.

318. Under the Harbour Act is it necessary that any of the Town Commissioners of Galway should be members of the body of Town Commissioners?—No, it is not.

319. Well, then, I do not think I can go into any questions relating to the proceedings of the Harbour Commissioners. They do not appear to fall within the scope of this Commission. Is there any other matter you wish to bring before me?—No.

Rev. Peter
 Kierman.

REV. PETER KIERMAN examined.

320. You wish, I believe, to be examined in relation to sanitary matters. Are you a clergyman residing in the town?—Yes; I am one of the Roman Catholic curates of the town for the last ten years. During that period I have been doing duty on both sides of the river. At the present time I am stationed at this side of the river, and my district extends from the river to the extremity of the town.

321. What do you wish to represent with regard to the sanitary condition of the town?—The sanitary arrangements among the poorer classes are very bad indeed, and I do not know that in my experience I have ever seen the town in a worse state than it is in at present.

322. Have you ever drawn the attention of the Commissioners to the fact that the sanitary arrangements are very bad?—I have done before the board more than once myself. On one occasion I spoke to the predecessor of the present town steward, and to the sub-sanitary officer.

323. Did you find the Commissioners, when you applied to them, prepared to go into and to remedy your complaint?—Quite prepared and most anxious.

324. And were those matters remedied?—Well, partly; for twenty-four hours, or a week.

325. To what do you attribute the failure of their attempt to remedy the evils you complained of?—First of all the sub-sanitary officer is paid a wretched salary, which is merely just putting a premium on keeping the town in a filthy condition.

326. Do you mean it is not worth his while for £30 a year to do his duty?—Certainly. I think it would require the undivided attention of one man to do the work. I think it would be requisite that the sanitary officer should visit every house once a week, or perhaps often.

327. Do they keep the pigs in their houses here to a very large extent?—Yes. At present the pig season is over, but when the pigs are in season there is scarcely a house in the poorer part of Oranmore in which pigs are not kept in the houses. In some cases houses are kept with them, in some cases, donkeys. In one house near the club-house, there is the father, the mother,

the three children, and a horse all living in one house. The consequence is, that in that house I have had the father, the mother, and the children sick over and over again.

328. Have you drawn the attention of the sanitary officer to that?—I have not; but, though I cannot say positively, I know the sanitary officers are aware of it, because the doctor has visited the house.

329. Who is the sanitary officer of that district?—Dr. Clayton. I cannot positively say Dr. Clayton has been there, but he has been called on to attend.

330. Do the father, the mother, the three children, and the horse, all occupy the same room?—They sleep and live in the one room, and, of course, all the horse's tack and harness are kept there. During the day the bed which the horse lies at night is gathered up, and of course the effluvia of the place is dreadful. The bed on which the horse lies is so contiguous to the bed on which the parents lie, as that look is to the desk there. And that has been going on for years. I give this case as an example; there are many others. In one district corner. In Caddagh the pigs are all kept under the bed. In another house, in the same locality, there are three horses, a donkey, two pigs, a grandfather—an old man—three children, a husband, and a wife. There are two rooms in that house, but the whole house is only about twelve feet by twenty, I think. And this has been over and over again in fever.

331. Do the animals occupy the lower room, and the family the upper?—No; the rooms are both on the same floor.

332. Do you mean to say the human beings sleep in the same room with these animals?—They do. In the smaller room there is space for the father and mother and children alone, and the grandfather sleeps in the larger room with the animals.

333. Are there many similar instances?—Oh, yes; in the suburbs of Oranmore there are pigs kept up in the very garrets.

334. Do you know whether there has been any effect of the Commissioners since 1874 to get these animals out of the houses?—I know of no instance.

335. And should you say things are as bad as in

1874—I should say they are worse. I do not know that I have ever spoken to the Commissioners of cases where there are animals in the houses, but I spoke in a case where there were heaps of manure and dirty water. In one case I had to apply for a summons before I could get the place closed up. This was the old nursery.

334. Was there any other case in which they did not appear willing to act without your taking further proceedings?—They have been always willing to act in the case of removal of sewers or cesspools, and cases of that kind. In the case of the old nursery the house was falling down.

337. How long ago was that?—Probably before Christmas; I cannot state the exact time.

338. But was it within the last twelve months?—Oh, yes.

339. You had, you say, to make an application to the magistrates, and then the Commissioners took steps?—Yes. It was tumbling down. There are several houses in the town in the very same way.

340. Have you known any cases where parties have resisted the removal of animals, or the removal of any nuisance, after which the Commissioners have applied to the magistrates for an order, and failed to get one?—I may know of some, but I cannot at present recollect them. I believe there have been such difficulties. There is another house quite convenient to one of the principal streets; it is a large house, and is occupied by twenty-five families. There is no yard attached to the house; there is no water-closet nor privy; and at night (I can frequently cut at night on sick calls) I have forced on the first landing all the night-soil and manure thrown in one heap, and remaining there for days. I have asked the question, "Does the sanitary officer ever come here?" and I was told they did not know him. There is frequently sickness in that house.

341. The doctor surely must attend this place?—Oh, of course.

342. A Town Commissioner.—Will you give the name of the house?—Oh, I do not think it would be fair to give the name of the house. (To the Chairman).—I will show you the place.

343. In the house within the jurisdiction of the Commissioners?—Oh, it is.

344. And within one of the districts in which there is a sanitary officer?—Yes.

345. In whose district is the last house you have mentioned?—In Dr. Clayton's. I would also wish to say something as regards the lodging-houses.

346. Yes; Mr. Redington said that though there were rules issued for the regulation of lodging-houses they were not very strictly observed. Have you ever seen a copy of these by-laws?—I have; but I believe the lodging-house keepers do not know anything about them.

347. CHAIRMAN (to Mr. Redington).—Have copies of these by-laws been supplied to the various parties?

Mr. Redington.—I understand that there have been copies of these by-laws left with the parties.

348. (To Witness).—Are the lodging-houses very much crowded here?—At certain seasons of the year they are; at other times they are not. But the accommodation in these is very bad.

349. I presume the by-laws provided there should be a certain amount of cubic feet allowed for each house?—Well, I had the curiosity some weeks since to measure a room; it is fourteen feet six in width, and twenty-four feet six in length, and in that room there are several beds.

350. What is the height?—There is no ceiling to it.

351. Are there rafters?—Oh, yes; rafters and disten.

352. It is not open to the sky then?—No, with the exception of some skylights; but in some other houses in Cliddagh the roofs are quite off the houses.

353. You spoke of one house in which there were a great many persons living, and where there was no privy or ashpit. Should you not say that was the case with the greater part of the town?—With the greater part of it. In fact there are some places which are

worse. I was called to attend a case of sickness some time since in a house in which there was a privy. Cattle were killed in the house—in the entrance hall—and adjoining this hall there were three large pigs. On the first landing of the stairs there was a water-closet, and the effluvia of that was the worst I have ever known. In that house there was a person dying of blood-poisoning—did die of it, in fact, I believe.

354. Do you know whether this case was brought before the Commissioners?—I cannot say. There are so many cases of that kind it would be impossible to bring them up.

355. CHAIRMAN (to Mr. Redington).—Would you let me see a copy of your by-laws. (Copy of by-laws handed in.) Do the constabulary act as inspectors of lodging-houses?

Mr. Redington.—No; there is no inspector of lodging-houses.

356. Do you mean to say there is no person appointed by the Commissioners as inspector of lodging-houses?—Oh, yes; the sub-sanitary officer is inspector. He went round and visited these lodging-houses, and gives length, breadth, height, and so on.

357. (To Witness).—Your belief is that the sub-sanitary officer has not visited them?—Well, I believe he has not; and that if he did he could not pass them. In a great number of these houses vegetables are sold, after which there is a large quantity of vegetable matter left decomposing.

358. Do you mean they are green grocery shops?—You cannot call them green grocery shops. I have found these heaps of vegetables in the very rooms where people are sleeping. They are kept to form manure, or perhaps to boil for pigs. In wet weather they are kept out in the rain, and taken in at night; and a gas is generated which is certainly not healthy.

359. Have you never seen a copy of these by-laws posted up in any house?—I have never seen them.

360. Here is the last one, for instance (reads):—

"No house shall be registered as a common lodging-house unless there shall be apartment therein the use of a water-closet or privy, or be furnished with a stable-churn, nor unless each sleeping-room shall have an external window made to open."

361. Is that rule observed in many of them?—Not in one that I know of. I am not aware at all that they are registered.

Mr. Redington.—Oh, it is a dead letter the whole thing.

362. CHAIRMAN (to Mr. Redington).—I thought you said these by-laws had been distributed?—Oh, yes; they have been distributed, and Mr. Hynes, sub-sanitary officer, now present, tells me they are registered.

363. Witness.—What is the meaning of registered?

Mr. Redington.—Registered in a book, and authority given by the Commissioners to keep these lodging-houses.

364. Witness.—Have there been any licences granted to your knowledge, Mr. Redington?—Not to my knowledge.

365. CHAIRMAN.—Here is rule No. 10 (reads):—

"No pigs, asses, or other animals shall be allowed to remain in any lodging-house; and the parties shall at all times be kept thoroughly swept and clean."

366. Do you find animals kept in these lodging-houses?—Well, I cannot say that in any lodging-house I have ever found a horse or a cow.

367. Or a pig?—I will not go so far as pigs. Perhaps the sanitary officer is not quite to blame, because when he does bring a case before the magistrates (I have been at the sessions on a Monday frequently) the fine is such a trifling thing—perhaps a sixpence—that the persons concerned would not mind the trifle—much rather pay the fine probably than go to the trouble of erecting the piggy outside.

368. Can you say whether or not the separation of the sexes is observed in these lodging-houses?—Oh, not at all; and last week I had ocular demonstration of this. I was called up at night to visit one of these houses, and I saw the sexes mixed. Of course they were married.

GALWAY.
May 22, 1893.
Rev. Peter
Kierans.

359. Well, of course the "separation of the sexes" does not apply to married people!—I mean I saw persons of different sexes sleeping together.

370. Dr. Brodie (Local Government Board Inspector).—I have myself visited several of these places and found the very same state of things you describe.

371. CHAIRMAN (to Witness).—Is there a good supply of water generally for the inhabitants?—Oh, abundant; unlimited. I think though for some time, perhaps, the filtering beds are choked up. I have noticed for some time the sewage having a deposit in the morning.

Mr. Eslington.—The filtering beds have not been cleaned since the waterworks were erected.

372. Mr. L. Pennington (to the CHAIRMAN).—Would you ask him what remedy he would propose?

Witness.—I should say the sub-sanitary officer should be an officer quite independent of all Local Boards. As a rule the sub-sanitary officer is a poor man, and his salary, although small, is of very great value to his family. The men who have the appointment are the Commissioners, and these men are very generally the owners of property about the town. Of course the poor man does not wish to come forward and report these men, and take proceedings, because he says, "If I report them I may be dismissed and sent about my business." And what is more, I know that Mr. Harding, one of the best sub-sanitary officers in Galway, resigned for that reason. He told me if he got a thousand a year he would not remain a servant of the Commissioners, in consequence of the annoyance he got. So long as the sub-sanitary officer is dependent on the Town Commissioners, or any Local Board, he cannot be independent.

373. Yet as far as your experience goes, you say the Town Commissioners are anxious to carry out the laws?—I think as a body they are.

374. But individually?—But individually I cannot answer in the affirmative.

375. Dr. Brodie.—Might I ask, would you wish the sub-sanitary officers should be under the control of the Local Government Board absolutely?—Absolutely. I think if you want to get a man to do his work well, you must give him £100 a year, or something like that. I am certain any one man has so much as he can do to look after the sanitary matters without any other appointment.

376. CHAIRMAN.—Would you say the same thing of the medical officer as of the sub-sanitary officer?—I would not go so far as that, because the medical man is more or less independent of the Commissioners.

377. However, according to your evidence, the medical officers do not take much trouble about these matters?—They do not. Some time ago I drew the attention of a medical officer to a yard. It was in a wretched condition; an old building had fallen down, the stones are lying in a heap, one over another, and the intestines are filled with liquid excrement which cannot be taken out. I am residing next door, and I am conscious of what the efforts can do.

378. Have you called the attention of the Commissioners to that yourself?—No; I could not possibly be bringing every case before the Town Commissioners, but I called the attention also of the sub-sanitary officer to that.

379. And was nothing done?—Nothing.

380. Have epidemics very much decreased since you have got a good supply of water?—Yes.

Mr. John
Hynes.

Mr. JOHN HYNES examined.

381. How long have you been sub-sanitary officer?—Since May of last year.

382. Have you heard the evidence of the gentleman who has just retired?—I have only heard a portion of it.

383. Well, he tells us the sanitary condition of the town is wretched, particularly in the poorer portion; that there is scarcely a house belonging to the poorer inhabitants that is not occupied by pigs or other animals, and that no effort has been made to remove them. Is this the case in your district?—I have seen pigs in the houses.

384. Have you seen cows and horses?—I do not know a case where they are kept in the house.

385. Do you know the house in which the father, mother, and three children, with a horse, are all living in one room? Did you never find a horse in any house in the town?—I did, but the people were not living in the same apartment.

386. Do you know another house where there was the grandfather, the father, the mother, and three children, with three huffers, a donkey, and two pigs, all living in a couple of rooms?—I do know that house. They were summoned for that house.

387. Rev. Mr. Kierans.—I will just ask the name of the house Mr. Hynes summoned.

Witness.—Craw's.

388. Rev. Mr. Kierans.—That is not the house I allude to.

Witness.—In the house I mean there was a cow, and it was in a very bad condition. The sanitary officer sent his report to the Board, and we fined the party.

389. What was the fine?—The fine and costs were something about 3s. or 3s. 6d. altogether.

390. Did they continue to keep the animal in the house afterwards?—They removed them then; the weather turned in their favour, and they put the cow out to grass.

391. Do you know of any other instance where the parties were summoned?—We had only eight summonses in the year.

392. How many houses are there in your district in

which they keep these animals?—I have known no other house but that (that is to say, where they actually reside), where the animals stop.

393. Did you report every house you heard of?—I did, regardless of whether they were Commissioners or not.

394. I cannot reconcile this evidence; there appear to have been eight cases of summonses.—There were 183 reports about summonses generally.

395. But how many reports have there been of animals kept in the house?—I cannot say there were any at all but the one I mentioned.

396. Do you know the clergyman who gave evidence just now?—I do.

397. His evidence is that there is scarcely a house in Galway in which animals are not kept?—I know of no case in which the animals are not separated from the family.

398. What do you mean by "separated from the family"?—I mean kept in the out-house apart from where the family reside.

399. Then you surely cannot have visited every house?—I visited every house in Galway.

400. (To Rev. Mr. Kierans).—Will you have the goodness to give the name of the house where the grandfather, &c., were living?—Gannon's, near Prospect Hill.

401. (To witness).—Have you visited that house?—I have.

402. Did you ever see a horse in it?—No.

403. Rev. Mr. Kierans.—Did you ever see droppings?—I saw the place as if a horse was in it; I saw the place damp, and having the appearance as if a horse was in it.

404. CHAIRMAN.—Did you make any inquiry?—I did not; I knew they had a horse, but I thought it was outside they kept it.

405. And did you not consider it necessary to visit it again, or make any report?—(No answer.)

Witness.—But I certainly would rather sleep in Gannon's with the horse than sleep in other houses I have seen in the town.

406. Have you reported them?—I have reported

them. There is no ventilation; the windows are broken, or have no sashes, in very many of those houses. I measured the rooms; I made a report to the authorities, and I never heard anything more about it. That occurred last year.

407. Rev. Mr. Eversatt.—Do you know Drumpsey's lodging-house in Prospect-hill?—I do.

408. Did you measure the top room in that house?—I did.

409. What is the size of it?—The clerk has the book, and he has the measurements. I have no idea now of the measurements. I found only one place—one lodging-house in Henry-street—where they had more beds than they should have.

410. Did you distribute copies of this by-law?—I left them when leaving notices, and our clerk has a record of them.

411. Did you tell them it was their duty to put them up in a conspicuous place?—I told them everything I thought most necessary at the time.

412. Did you visit them since?—I had no instructions to visit them. I told the Commissioners I had a number of notes in connexion with these measurements, and that if they required further information on the subject I was prepared to give it to them.

413. Are those fifty-three lodging-houses all registered?—The clerk has got them on his books.

414. Have all these fifty-three lodging-houses got either water-closets or privies?—I do not think there were two out of the fifty-three within the terms of the by-law.

415. Did you report that visit?—I reported it to the Board at the time. I even remember stating that their object seemed to be rather to shut out air rather than admit it. Mr. Redington has the report.

416. Did you report to Mr. Redington, or was it to the Board you reported?—I reported to the Board direct. As far as the bulk of the people are concerned, I have no necessity for summing them, because the bulk of the people I find most anxious to comply with my directions.

417. During the year you have been in office, do you consider any improvement has been effected in the poorer dwellings as regards the condition in which they are kept?—I do, certainly; but no improvement has been effected as regards the structures themselves.

418. Do you think the pig nuisance has been abated?—I think they were always in the habit of keeping those animals.

419. Exactly, and it has not been abated. Do you think the question of the pigs is at all material?—I think if one pig were turned out a thousand should be turned out.

420. You told me just now that there were only eight cases in which you had to take out nuisances. Were those for keeping animals in the houses?—I am afraid you do not understand the case. We had eight cases brought to the court; but whether those were for animals, or pigs, or cossipids, I cannot say. I did not say I reported where there were pigs. I know where there are pigs, and I did not report them.

421. Are there many such cases?—Many such cases. In fact I was waiting to see how things would go on.

422. CHAIRMAN.—I think there is no doubt about the fact that there are a number of cases of this peculiar nuisance of keeping pigs in houses which you have not reported?—A great number of cases.

423. With regard to the other cases in which you were "waiting to see how things would go," are there many of those that you have not reported?—Not one.

424. Have you reported every case where there is a cellar below the level of the street?—Every case that has turned up.

425. Have you reported every case where there was no privy or ashpit?—No.

426. Have you reported every case where there was a heap of manure in or close to the house?—Every case. The only matter I was lenient to them about

was in the matter of pigs, and I spoke to several of the Commissioners about that.

427. Are there not a great number of houses in which there are no privies or ashpits?—The majority have none.

428. And have you reported that fact to the Commissioners?—No.

429. Then there have been no steps taken by the Commissioners to enforce their construction on the owners?—No.

430. Why did you not report the fact to the Commissioners?—I considered, in fact, that I would let things remain as they are. I will be candid with you. I had great opposition for half a year from the Local Government Board. I was rebuffed by the Local Government Board. They said for five months they would not have me at all as sanitary inspector.

431. Was that because you were so active, because you did so much work?—Well, I was told it was because I did so much work.

432. Who told you that?—Well, a magistrate and ex-officio guardian, but I have not anxiety to mention his name. He told me so much; and he told me, when I had got my appointment under the Board, to keep very quiet now.

433. So I suppose you thought it your duty since December last to be "quiet"?—Oh, no; nor work, because I have reported the Commissioners themselves over and over again.

434. Have you ever received instructions or hints from the Commissioners themselves that you are not to be too busy?—Never from any one of them.

435. Are those houses where there are no privies nor ashpits, and where there are no conveniences, owned by the Commissioners themselves?—Well, they may and they may not.

436. Have you ever reported any case in which they belonged to the Commissioners?—I have spoken to them.

437. Have they acted with regard to their own houses as they would with regard to other people's?—They have.

438. Have they made orders for the abatement of the nuisance?—They have.

439. Have those orders been obeyed?—They have.

440. On their being summoned?—We had not to go as far as a summons with them.

441. Wherever there was a case in which structural alterations, such as the construction of privies and ashpits, were required to be made by the owners, have they been made?—I do not think they have.

[Mr. Redington here read a general report made by witness, the effect of which merely was that he found the approaches to most places extremely close, but the ventilation defective.]

442. Where there are main sewers through the town, are the houses, as a rule, connected with those main sewers?—The houses of the wealthy, as a rule, are, but the houses of the poorer class are not; but with regard to the houses of both the poor and wealthy classes, the connexion, I think, is defective. Those sewers have been constructed for a long time, and the water percolates through the gravel; and forty or fifty yards from that sewer there may be traces of the sewage.

443. Have you reported upon those sewers?—I have, on this very day. (Hands in report.) I was called down by the sergeant to see that place to-day, and they are an example of the condition of a heap of houses in all the principal streets of the town.

444. Have you reported in every case where you found the connexion defective, or the connexion not existing?—Yes.

445. And what action has been taken by the Commissioners?—Notice has been served on the parties.

446. Have connecting sewers been made in consequence?—No sewers have been made that I know of.

447. When the parties have not done the work themselves, have the Commissioners, in any case that you are aware of, taken upon themselves, as they are empowered by the Act to do, to construct connecting sewers?—Not that I am aware of.

CHAIRMAN.
25th Dec. 1877.
Mr. John Hyman.

GALWAY,
May 17, 1877.
—
Mr. John
Hynes.

445. Are there not then a great number of cases, which you say you have reported to them, where no condemnations have been made, and in which no ulterior proceedings, notwithstanding, have been taken?—Some steps have been taken to put matters to rights for the time being.

446. Are any of these houses in which connecting sewers are required to be made, or are defective, the property of the Commissioners?—I am not aware as to that at all.

447. You must know who are the owners of these houses. Can you say whether in all cases where the houses thus deficient are the property of the Commissioners, the Commissioners have taken steps to remedy them?—They have.

448. Do you know anything of the case of blood-poisoning mentioned by the Rev. Mr. Kierman?—I heard a report last year, that a person had died from the filthy condition of the house he lived in, but that was a year before I came into office.

449. CHAIRMAN.—(To Rev. Mr. Kierman).—Can you give me the names of the house you refer to?—I can, but I had rather not.

450. Is it in his (witness's) district?—It is.

451. (To Witness).—Have there been any cases of diphtheria or scarlet or typhoid fever since you came into office?—Not that I am aware of. It is impossible to put the houses I speak of to rights; they are the ruins of the former residences of the great county families. These are houses that were never constructed for tenements at all.

Rev. Mr. Kierman (handing slip of paper to Chairman).—That is the name of the house, but I would rather not have it mentioned publicly.

Witness (having been shown the slip of paper by Chairman).—I know that house.

452. Are animals kept in that house?—I do not know, but I know they slaughter things there.

453. Is this a slaughter-house?—Oh, no; people live there. And they kill the sheep in all the victuallers' shops in town. While you would be

passing through the town a fellow would be killing a sheep, and the blood running down at your feet.

454. Do you inspect these houses?—I inspect them as ordinary dwelling-houses, but not as victuallers' premises.

455. Does the state of things you describe exist in many houses in the town?—In every one of them.

456. In every butcher's house in town?—In every butcher's house in town the butcher kills his sheep.

457. Is this state of things complained of in the newspapers very often?—I do not know of any complaints by the newspapers. I think there are other slaughter-houses where they have a license, and where they keep pigs in a large square, and all that sort of thing; but I think the worst case of all was the Commissioners' own slaughter-house. I had to report it twice myself, so that you may infer from that I was not to be frightened in any way.

458. Is not the Commissioners' slaughter-house at present in such a condition that it cannot be now used?—Oh, they are still using it.

459. Who are the parties responsible?—Well they have a slaughter-house committee and a heap of people connected with it. I do not know who is the responsible party.

Mr. Robinson.—It is not in a fit state to be used as a slaughter-house. You cannot compel the butchers to go there, for in fact the place is not fit for them.

460. But the witness says it was complained of?—Oh, it certainly was complained of, and there was an order made immediately for the abatement of the nuisance.

461. Who is the person who has charge of it?—He is the slaughter-house keeper, a man named Shaugheeny.

462. (To Witness).—Did you find matters improved after you made your report?—I think they made it worse. But at any rate we would want about a thousand cottages in Galway for the humbler class of people.

Mr. Richard
N. Somerville.

MR. RICHARD N. SOMERVILLE, Town Surveyor, examined.

463. How long have you been town surveyor?—I was appointed in July, 1874. I was first appointed for the surveying of dangerous buildings requiring to be taken down.

464. Since the Provisional Order has been passed have you acted as surveyor of the roads too?—Yes.

465. Do you know anything of the condition of the slaughter-houses that has been spoken of?—I know the condition of the Town Commissioners' slaughter-house.

466. Has that been constructed by the Commissioners under your supervision?—Yes. The plans and specifications were drawn by me. I also estimated for them what the cost would be. In fact the Commissioners were determined to have the best kind of slaughter-house, and authorized me to visit the slaughter-houses in Salford and other places. When I came back a contractor was accepted. This contractor has not given very much satisfaction. I reported again and again on the condition of the place, and at last I asked the slaughter-house committee to make a report on it. They concluded their report on last Thursday, and it will soon be complete for presentation.

467. Is the slaughter-house used as a slaughter-house, notwithstanding its present very imperfect condition, or is it possible to keep it in a proper state if it is used while the work is going on?—Well, it is.

468. Would it not be better to close it altogether as a slaughter-house while the works are going on?—It had been closed for a considerable time. The floor is the principal item in which the work was not well done; but the greatest source of nuisance the sanitary officer ever brought under my notice was the cesspools into which the butchers used to throw their offal; and the Commissioners have now given directions to the

town steward for the scavenging-cart to go round twice a day. The work of the slaughter-house has really been at a stand-still, and they are at present at the expense of another slaughter-house, which they have hired temporarily. After the work of the Commissioners' own slaughter-house was pretty well advanced, the contractor allowed the butchers in. I told him that if he was not perfectly satisfied his work was finished he should not have let them in.

469. Do you think it would have been better if they had not been let in so soon?—I do not think it made much difference; the materials used in the construction were bad; part of the floor is ravelled up. But it does not continue a nuisance. They are very particular about catching up the blood, because they are paid for every drop of blood. With regard to the privy that is there, I certainly will recommend the Commissioners, after the sewerage is completed, to put a water-closet there, and connect the water-closet with the sewerage. It is cleaned out every day, however.

470. Do you give the certificate for the payment of the men who are employed on the roads and the scavenging?—No, not for the men employed on the streets. We have our query book, which I shall show you. It is the town steward certifies for the men employed on the streets. I have the supervision of the work, but I do not give the certificate.

471. Are you of opinion that as long as those sewerage works are going on, it would be very difficult at all events to let the repairing of the streets by contract?—Oh, I would certainly recommend the Commissioners not to do so. From my experience as a surveyor, I should always recommend the Commissioners not to let the scavenging to any contractor. I would let the repairs by contract, and have the scavenging done by the Commissioners themselves even after the

sewers were completed. A great number of pipe-drains are being laid down now, and a contractor doing his scavenging in the mornings is very likely to brush some of the road surface into the sewers so as to avoid the trouble of carrying it away, and that would choke up the sewers.

475. Do you know as a matter of fact that a great many of the houses are not connected with the sewers?—In some cases, where it was practicable, it has been done; in other houses it remains to be done.

476. Are some of the new drains in a sufficiently forward state to connect the houses with them?—Yes.

477. According as they are coming into a sufficiently forward state, are the connecting drains then made?—Yes. I know one Commissioner who has connected his drain with one of the new drains.

478. Do you know anyone who has not, where he should do so?—None that have come under my notice.

479. Do you know, with reference to the old sewers, any block of those houses belonging to the Commissioners where connecting drains have not been made where they should have been made?—I know nothing of those houses except from the outside.

480. I wanted to know whether, in cases where

connecting drains were required to be made, the Commissioners themselves, as owners, were any obstruction to their being made?—Oh, that is not the case.

481. Since you have been town surveyor have you been able to form a general opinion with regard to the sanitary state of the town?—Yes, in my own district it is very bad. It is rather outside my duty, but where I have seen a glaring nuisance, I have always reported it.

482. Did you ever get a scuff from the Commissioners for these reports?—Oh, never.

483. Do you think there has been any improvement in the part of the town within your district?—I do not see a bit. I have known cases where people have been made to remove their manure for a week or a month, but it would be back again directly afterwards.

484. Do you know of any case where animals are kept in the house?—I do not go into any of them, but I know many where manure heaps are kept. I know there was a particular case—the case of a Mr. Turpin in Blenheim. I have reported that several times. I believe a summons has been issued, and a magistrate's order got, but it is worse than ever. I saw it several days ago.

Mr. JAMES DAVIS, Town Commissioner, examined.

Mr. James Davis.

485. You are, I believe, one of the oldest Town Commissioners? Can you throw any light as to when this debt to the gas company arose?—The tolls under the old Corporation went for the purpose they now must go for—cleaning and lighting the town. They were misapplied. The mayor at that time applied them to his private purposes.

486. Was this before the Act of 1836?—Yes.

487. Were you a member of the Corporation at that time?—No.

488. Were you one of the original Commissioners under the Act of 1836?—No, I was not a Commissioner until the next election after that.

489. It was in about 1840 that you were elected, then?—Yes.

490. And have you been in ever since?—Ever since.

491. I want to know how the Commissioners first got into debt with the gas company?—When the Commissioners got this Act of theirs in 1836, their tolls were in Chancery—that is, the tolls of the old Corporation were in Chancery. They got their new tolls under the Act of 1836. The tolls of the old Corporation were put in Chancery in consequence of the misappropriation of the funds. The Commissioners cited the old Corporation into the Court of Chancery, and got a receiver put over the old tolls.

492. The Act of 1836 fixes certain tolls. Do you mean that immediately that Act of 1836 was passed the tolls fixed by that Act were in Chancery?—No; but the tolls were turned out, and the Chancery tenant's time had not expired when this Act was passed. He only held them, however, until the year after the new Commissioners came in, and they produced about £100. There was a very great export of corn then, and they produced under the new Commissioners £1,000 a year. The entire town was fagged out of the tolls, and the Commissioners then made a large outlay on the improvement of the town. Seeing the large income they had at the time, they calculated that income would last until they got out of debt. The gas company was formed in 1837, and it seems that it was so formed as to consist of seventeen of the twenty-one Commissioners. The gas company made terms for themselves that were not for the benefit of the town. They charged us £6 a lamp, and the Commissioners were obliged under any circumstances to pay that price for thirty-one years, thus binding the Commissioners not to take advantage of any competition during that period. In the midst of those improvements the Commissioners were making in the town the famine set in. The consequence of that was free trade in corn, and the corn trade, which produced then in tolls £3,000 a year, fell to £900 or £800 at

one time. We did nothing to suit the altered state of our income, and whether we wanted so many lamps or not we were compelled to pay this money. The gas debt was from advances owing to the gas company for debt previous to the Act of 1833, and about £800 of the gas company's expenses towards that Act. Then, not having availed ourselves of the Waterworks powers, we had to look for another Act, and this cost in some £800 more. Even that bill was a defective bill, and we had to get a third bill at an expense of some £300 more. In this way these debts accumulated.

493. Since 1838 you have never, it seems, struck a balance, and the gas company say you owe them more than you imagine you do?—The sale of the advowsons of St. Nicholas, which were vested in the Corporation by the Act of 1840, was forced upon us by the gas company to diminish the debt, and they went for £1,500, although worth £3,500.

494. Was it before the passing of the Act of 1853 that you paid the gas company this £1,500?—No, after it. The Act of 1853, in fact, was put to make them more secure to go to law with us, as we were trying to pick a hole in the deed at the time.

495. At the time the gas company put pressure on the Commissioners to sell were the Commissioners as strongly represented on the gas company as they were before, when it was forced?—The Rev. Mr. Daly was chairman of both bodies at the same time.

496. Was any other member of the Town Commissioners a member of the gas company at the time of the sale?—There were several. There was not more than one-third, if so many, Commissioners who were not shareholders in the gas company.

497. Turning now to the question of the municipal boundaries, were you one of the majority who voted in favour of the third scheme in Captain O'Hare's report?—I was. I believe that to be the most practical.

498. Do you think that is the one that would inflict least injustice on the residents in the outer circle and the greatest benefit on the town?—Yes. I want to draw your attention to the fact that, whereas the slaughter-houses are represented to pay £28 a year rent, the actual rent is £23, and they pay £3 a year interest for money advanced by the owners to enable us to get through the repairs of those slaughter-houses. The owners lent us £100 for this purpose, and we are paying eight per cent. for the money. The present slaughter-house is too narrow, and situated in a place not adapted for the purpose.

499. Do you mean to say you are bound to pay eight per cent. for money advanced by the owners to

GASWAY.
May 23, 1875.
—
Mr. Richard
N. Somerville.

GALWAY.
May 17, 1917.
Mr. JAMES
DAVIS.

put their own property in repair?—Based in a deed—in a lease. I believe all the Commissioners agreed to pay the lender £8 a year. They were not able to pay it at the time they were so wretchedly reduced. I voted against the place as being an unsuitable one, but not against the borrowing of the money at eight per cent. We were very much pressed by the public to get a proper slaughter-house, and in order to have that public feeling allayed we borrowed £100. I find in the return you have of Exchequer by the Commissioners you have not a proper statement. These large sums not laid before you payable to the two printing offices and to the attorney.

500. What I have got a note of is the capital debt for borrowed money, but have you some large current debts besides?—Large current debts under the hands of printing, gas, and law.

501. Can you now tell me what this printing debt is?—I cannot say. These gentlemen have been repeatedly asked for their accounts, and they have not furnished them to us. We are charged at present for eighty-seven lamps, and we are never getting more than eighty-two for.

502. Are those eighty-seven lamps in existence?—No; we sent a man to count them within the last fortnight, and he says there are only eighty-two left.

503. When applying for the loan of £3,000 to pay off the gas company, did you bring it under the notice of the Board of Works that the Act was passed to enable them to lend you the money?—Yes.

504. Did you ever apply to any other party?—No, because no other party would lend us the money except on higher terms than the terms we wished to

get it for, which were at five per cent. Captain O'Hara is getting in out of our difficulties by raising money for us. The late engineers had to pay out of his own pocket for scavengers to keep the town clean. Captain O'Hara went and borrowed a sum of money from the National Bank on his own personal security to keep us up until we could get money.

505. You say there are considerable debts besides these capital debts that have been secured. Can you give me any idea what they are?—They were never furnished by the parties themselves.

506. How many years are you in arrears with them?—I do not know. There are certain arrears that have been paid, and others that have not.

507. Are you a member of the finance committee?—I am.

508. What is the other current debt besides the printing?—Law.

509. Who is your attorney?—Mr. McNamara.

510. I see payments every year for law?—Yes, but there is no filing things.

Mr. L. F. DUNDAS.—The reason Mr. McNamara has not been paid was that until this Provisional Order was passed the Commissioners had no funds.

511. But they have had funds now for over two years?—You have at least a balance in your favour on every account but one!

Witness.—Yes, but this is money we borrowed.

512. CHAIRMAN (for Mr. F. C. COWAN).—Have you actually paid off any arrears of debt out of income yet, or are you only just paying your way as you go along?—I think we have been only paying our way as we went along.

Mr. FRANCIS
LORENZO
CURRY.

Mr. FRANCIS LORENZO CURRY examined.

513. Are you both a borough and a county magistrate?—Yes, of three counties.

514. Do you reside in the "outer circle"?—Yes. I have about 1,200 acres in the outer circle of which I regret to say the greater portion is mountain and bog. I have only to say this:—that the unfairness of this scheme of making the municipal and Parliamentary boundaries continuous would at once strike anyone. The outer circle would have no benefits of water or sewerage, and the only other thing that would be extended to us would be the taxation. A village of mine—the village of Droon—stands about 300 feet above the level of the sea, and there are other dwellings that stand still higher; no sewerage could go so high; no water supply could be given us. With regard to roads we are in a very anomalous condition at the present moment.

515. CHAIRMAN.—That we know.

Witness.—With regard then to the actual facts. As far as taxation goes, of the four schemes, number 2 or number 4 would be the better ones. Number 4 is not so convenient in some persons' eyes, as it would do away with two staffs, and prevent gentlemen putting "v.c." after their names. Number 2 would affect my property, consisting of between six and seven thousand acres, all of which within the county is in the barony of Moyvallen, which is estimated would be prejudiced by the arrangement.

516. Is yours the one barony upon which accord-

ing to the estimate of Captain O'Hara, there would be an increased rate if that scheme were adopted?—Well, I rather think there would not be, because a good many unnecessary roads could be done away with, and the two main roads, together with two or at least three of the central roads would be sufficient for the work. Of course I need hardly say it is an imaginary line, and this line, which is drawn through bog and mountain for every inch, does not include, I think I may safely say, half of the value of 10s. an acre. Then it all runs high, and the people who are altogether peasants speaking Irish, are all of the ordinary class of peasantry, and have no connexion with the inner circle of the town.

517. Are all the residents within that outer circle chiefly peasantry of the rural class?—The purely rural class. There are none of this class of market gardeners, none of the class of men who make a living by bringing milk or butter into the town. No milk is carried in from that district.

518. Are there no villas within this outer two-mile circle belonging to tradesmen or merchants in the town?—Not a single one.

519. In fact has that outer two-mile circle no more connexion with the town than any portion of O'Connell's?—You have exactly defined what I wished to convey. The outer ring, perhaps I should explain, is occupied by so few proprietors that you have not had an opportunity of having witnesses before you.

Mr. REDINGTON

Mr. REDINGTON recalled.

520. Mr. Davis said there had been debts for printing and law accumulating, of which there are large arrears owing?—I believe there are large arrears owing, but we have repeatedly asked the parties to send us in their accounts and they have not done so.

521. How many years have they been outstanding?—I suppose about four.

522. Has Mr. McNamara, your solicitor, been asked

to send in his bill of costs?—He has, but he has not done so. We have only paid him on account.

523. Have the costs connected with the Provisional Order Act been paid?—Yes.

524. Have the costs of the Acts of 1865 and 1863 been paid?—The costs of the Act of 1863 have not been paid, because they form portion of the mortgage to the gas company. I am perfectly in the dark as to what is due to Mr. McNamara.

MAY 23, 1877.

GALWAY.
MAY 23, 1877.
Mr. Redington.

Mr. REDINGTON recalled.

525. CHAIRMAN.—There are just one or two questions which I wish to put to you, Mr. Redington—first of all, has any application ever been made to the Chief Secretary under the 5th section of the Local Government Act, with regard to the alteration of the boundaries?—No.

526. You know the clause of course. (Reads clause.) I don't know whether any attempts have been made to act under that section?—No; none whatever.

527. I also wanted to ask you as to the amount of county cess levied by the Grand Jury previous to the present extension. Mr. Hancock stated before the Select Committee of the House of Commons, that it was £4,450?—That would be the two levies for the year.

528. Of course that is for the year?—That embraces the rates, and also the imperative assessments. He is about right.

529. I wish to compare what they levied as Grand Jury cess with your expenditure on the roads?—I think I could get that for you.

530. I also desire to have upon our notes the relative taxable value of each ward, and the number of electors in each?—That I shall also give you. I asked the clerk of the union for it, but I have not got it yet.

531. The only other question I have to ask you is with regard to the gasworks. I want to know whether the Town Commissioners ever contemplated exercising the powers given them under the Act of 1853, of erecting gasworks?—They never attempted it.

532. Practically are not the gasworks very largely owned by the Commissioners themselves?—Well not now; but in 1853 there were seventeen of the Commissioners' proprietors in the gasworks.

533. Did they at any time enter into any negotiations with the view of purchasing the gasworks?—No.

534. And it was never contemplated?—Latterly it was suggested that the Town Commissioners should take the gasworks into their own hands, and to supply the people with gas, but it was considered that it was too great a work for them—that they had enough on their hands to do at present.

Dr. NICHOLAS CLAYTON examined.

Dr. Nicholas Clayton.

543. CHAIRMAN.—What position do you hold?—I am a dispensary doctor and sanitary officer of one of the urban districts of Galway.

544. Which is your district?—The eastern dispensary.

545. You are then, I think, in the district in reference to the state of which the Rev. Mr. Kiernan gave evidence yesterday. He said a great deal of the district was in a very shocking state; that the dwellings are occupied by animals of all descriptions—chiefly pigs, but also cows, calves, horses, and asses—living in the same apartment with the inmates, and that a worse state of things he never knew?—I must candidly confess that the district is in a very bad state.

546. How long have you been sanitary officer?—Two years.

547. And has anything been done to remedy this state of things?—I went round the whole of the district of Bohernabreena with Mr. Flynn, the late sub-sanitary officer. There was scarcely a house we did not examine, and I reported to the Board where there were pigs and cattle, and recommended that they should be removed. I examined all the yards—those which have room to them—and complained of the cesspools, and I thought I had discharged my duty, and that it was the duty of the other officers to see my directions carried out.

548. You reported to the Board upon this state of things?—I did.

549. And what action was taken by the Board?—Very little. I think the Board made an order to have my instructions carried out. When the parties were brought before the magistrates a fine—a merely nominal

550. You were to get me if you could last night the amount of your debts for printing and law expenses?—I think you may take it for granted that there is a debt of £160 for law expenses. I cannot exactly say what would be my debt for printing.

551. Would it be a larger amount?—It would undoubtedly, for it extends over the last four years. I don't think the *Express* newspaper has been paid anything for the last four years.

Mr. O'Connor (of the *Express*).—Our account is about £160.

Mr. Ferdinand (of the *Frederator*).—And about £40 is, I believe, due to my son for printing.

Mr. Redington.—You may take it that the printing account is about £220, and the law expenses £100.

552. CHAIRMAN (to Mr. Ferdinand).—What is the printing your son does for the Commissioners?

Mr. Ferdinand.—Pamphlets and small handbills concerning meetings. For instance, that statement of Captain O'Hara's was printed by him.

553. Is there any sum for advertising included in your son's account?—No, nothing but for printing. I believe it is the custom everywhere for the newspapers to get the advertisements without any contracts.

Mr. O'Connor (to Mr. Ferdinand).—Mr. Ferdinand's son has the contract at a much lower sum than our firm had formerly. I don't think he can make any profit from it at all.

554. CHAIRMAN (to Mr. Redington).—That £519 16s 10d. expended on roads would only represent about half a year's expenditure?—Yes.

555. Previous to that decision of Judge Fitzgerald's who did the cleansing? Was it you?—No, the Grand Jury did all the cleansing and repairing. There was no work at all done by us on the streets.

556. And all that is now done by you was formerly done by them?—Yes, but they had the outside roads.

557. What I want to ascertain is this. I wish to distinguish between what the Grand Jury expended on the inside roads as compared with what you expend?—It will be difficult to ascertain that, but I shall endeavour to supply the information.

thing—was inflicted, but not sufficient to cause an abatement of the nuisance.

560. Do you think the non-removal of animals, and the non-abatement of other nuisances is owing to the apathy of the Commissioners, or the leniency of magistrates in not inflicting heavier fines?—In my opinion I think the magistrates are too lenient in dealing with these parties. When a person is summoned for having a pig in his house, and brought before the magistrates, if the nuisance is not stated a nominal fine of 6d. is inflicted, which he pays rather than go to the trouble and expense of getting these animals in an out-house, so it would cost him very much more than a number of small fines to build an out-house.

561. I take it for granted that those people are not living in their own cottages—they are tenants of men of property generally?—Yes.

562. Do some of the Commissioners own large properties of this description?—There are several houses in the town let in tenements, and I examined them thoroughly and found them overcrowded. I recommended to the Commissioners that these houses should be shut up, but still the nuisance continues and nothing has been done.

563. Do you know whether any application has been made for an order to shut up those houses?—I cannot exactly say.

564. Now Father Kiernan mentioned yesterday one of these houses in which a dozen families lived, every room of which was overcrowded, and no convenience of any kind in the house, in the shape of water-closet

GALWAY.
May 24, 1891.
—
Dr. Nicholas
Clayton.

or privy, the fifth being deposited on the stair-ways, a most offensive odour arising therefrom, and the whole place reeking with unhealthy smells. Is not this a place you must have visited frequently?—Yes. I know the house and have reported upon it nearly eighteen months.

553. That description, then, was not as overcharged one?—No.

554. Could you tell me to whom that house belongs?—I could not. I consider that when I have made my report my duty is done, and that it is then the duty of the Council to have my instructions carried out. When the owner of the premises has not done what was required of him, I have attended before the magistrates and given evidence as to the nature of the nuisance.

555. Have you frequently done so with regard to these tenement houses?—Yes, frequently.

556. Then do you know whether the Commissioners have taken out summonses against the parties?—Yes.

557. In these cases, do I understand you correctly as saying that the fines inflicted were all of a nominal character?—Yes.

558. And that they have had no effect in putting a stop to the nuisance?—In some instances it had an effect. The old summary was closed up. The magistrates give a long time for abating the nuisance. They do not fine the first time, but make an order to have it abated. I believe that order gives them a fortnight, at the end of which period the sub-sanitary officer goes round and sees whether the nuisance is abated, and if not, the parties are again brought before the magistrates.

559. Do you consider the sub-sanitary officer sufficiently active in the discharge of his duty? You know his business is to go round and inspect these places, and where a nuisance exists to report it to you, and afterwards to carry out the orders of the Board upon your report?—I must certainly say that considering the salary the man is getting he does a good deal for the money.

560. Do you mean that he gives so much time to the discharge of the duties of his office as the salary is worth?—Yes. I think if you want to have an efficient sub-sanitary officer he should be independent of other means of employment. I don't think a man could discharge the carcass and impotent duties of the office for a salary of £30 a year.

561. When examined before me yesterday, the in-

terview which his evidence left clearly upon my mind was that he did not think it was his duty to interfere with the pigs in the houses?—I would differ from him. When I got notice I see after these things at once, but it is not my duty to hunt them up. When I am informed of a nuisance I look after it.

562. But, of course, necessarily upon your professional visiting you must have come upon many nuisances without waiting to have them reported to you by the sub-sanitary officer?—I have often met with them, and in that case I have directed the sub-sanitary officer's attention to the matter either that day or when I met him at the next meeting of the Commissioners. I have directed him to go and see the place, and if he considered it to be an unhealthy state to report the matter to the Board.

563. Are you in communication with the Commissioners themselves? Do they ever call you in to question you as to your reports?—No. I don't think they have. I might sometimes enter the room while my report was under consideration, and I would be asked a question.

564. The Commissioners have a consulting sanitary officer, and we have it in evidence that they only consulted him once since his appointment?—The only person I communicate with is the executive sanitary officer. Where the animals are kept in the sties, or where there is an overflowing privy, bad drain, or whatever the cause of nuisance, where it is prejudicial to health, I have reported them four or five times, if necessary. I have brought very bad cases before the Board, and expressed my surprise in my reports that my instructions were not carried out, and still the nuisances have continued to exist. In fact there has been so much to making reports when my instructions were not carried out. I have several times spoken to the Local Government Board Inspector, Dr. Brodie, and have brought him to see the places. My reports form quite a mass of writing.

565. Do you say there were many instances in which you had to report the same thing frequently over and over again, and you found no good results?—Some occasionally.

Dr. Brodie (Local Government Board Inspector).—If Dr. Clayton's instructions had been carried out, I have no doubt whatever that the portion of the town under his charge would be in a very different state to-day.

Dr. Brodie.

566. CHAIRMAN.—Do you, Dr. Brodie, reside in Galway?—Yes. I am the Local Government Board Inspector for this district, and resident in the town of Galway.

567. Have you had occasion to come before the Board of Commissioners to complain of nuisances?—I have, and made complaints of the most glaring nuisances, which have been allowed to pass unheeded, in the most public parts of the town. There is one place leading down to this court-house, between this and the Roman Catholic Church, where a most offensive nuisance exists. It is an enclosed yard, and the gate is left open, and the nuisance flows out over the pathway, and the stench from it is most abominable.

568. From communications you had with the Commissioners, what would you say was their disposition as to abating these nuisances?—I would say the majority of the Board are very favourably disposed towards abating the nuisances, but there are some individual members who, I think, would rather shelve the matter.

569. Dr. Brodie.—Mr. Commissioner, with your permission, I should like to ask Dr. Clayton a question.

CHAIRMAN.—Oh, certainly.

570. Dr. Brodie.—Dr. Clayton, from the time of your appointment have you been "bullied" in any way by the Local Government Board or their Inspector?

Dr. Clayton.—Never.

571. CHAIRMAN.—Perhaps you are not aware, Dr. Clayton, that one of the reasons the sub-sanitary officer gave for refusing to be so active as he said he had been,

Dr. Brodie examined.

was because he had been bullied by the Local Government Board and their Inspector.

Dr. Clayton.—I never found kinder treatment than from the Local Government Board Inspector.

Dr. Brodie.—Allow me to explain why it is he has made that statement about being "bullied." I had occasion to report him to the Local Government Board for culpable neglect of duty on his part, in consequence of which he was called upon to send in his resignation.

572. CHAIRMAN (to Dr. Brodie).—Was he called upon to send in his resignation by the Commissioners?—The Board here were requested to take it into their consideration whether any further confidence could be placed in an officer who had acted as he had done, and the Board asked the Local Government Board to give him a further trial.

573. (To Dr. Brodie).—Judging from what we heard yesterday, there is no better reason to be satisfied with him now than there was then?—Indeed they have not. There is one Commissioner present who, on more than one occasion, was in favour of a thorough inspection of the town; that is Mr. Kelly.

574. Mr. Kelly.—I wish to ask Dr. Clayton if he has not made reports independently to this Board, and whether the sub-sanitary officer did not actually threaten him for doing so?

Dr. Clayton.—I don't remember that.

575. Mr. Kelly.—Do you recollect reporting to this Board about the yard in Lower Abbey Gate-street, of your own motion?

Dr. Clayton.—Yes; I do. I got no report from the sub-sanitary officer upon that. I have made so many reports that I cannot state positively. But, I think, I did report upon that without getting a report from him.

578. Mr. Kelly.—Did you ever hear him complain of you for interfering with his duty?

Dr. Clayton.—I think I had a conversation with you, or some member of the Board, of something of that sort. I cannot state now exactly what it was.

GALWAY.
Aug 22 1871.
Dr. Beeke.

Mr. PATRICK J. STACK examined.

Mr Patrick J. Stack.

579. Have you been executive sanitary officer to the Commissioners since the passing of the Public Health Act, 1874?—Yes.

580. Do you hold any other office under the Commissioners?—No; I was executive sanitary officer to the Board of Guardians and acting clerk to the union.

581. Are you the medium through whom all the sanitary officers' reports come before the Commissioners?—Yes.

582. Do you attend the meeting every week?—Yes.

583. Do you find a desire on the part of a desire on the part of the Commissioners to carry out the recommendations of the sanitary officers?—I find a very general desire to carry out the law. I give instructions to have notices served on either the owners or occupants of the premises, and the notices are served by the sub-sanitary officers.

584. Do you believe the sub-sanitary officer does serve the notices?—I believe he does. When the time has expired that is mentioned in the notice, he reports to me whether or not the nuisance has been abated.

585. Does he often report to you that they are abated?—He does.

586. Have you any reason to believe they are not abated when you have reports from him that they are?—I cannot say from my personal knowledge.

587. Do you consider it your duty to go round and see that the nuisances are abated?—No.

Mr. Redington.—The Local Government Board wrote to us to the effect that it was not his duty to go round.

Witness.—So far as I am I see that my instructions are carried out.

588. Does it often happen that the very same case in which he has reported the abatement of a nuisance is again brought under your knowledge?—Yes.

589. And for the very same nuisance, such as the presence of animals in the dwelling-house, or the want of cleansing out privies and subpits, &c.?—Yes.

590. What is the next step you take in such a case?—I report the matter to the Board, and ask instructions to proceed against the party.

591. And do you always issue summonses?—Regularly.

592. What has been the action of the magistrates in these cases generally?—They have no jurisdiction in the matter except to make an order to abate the nuisance; they have no power to fine under the Sanitary Act.

593. Not in the first offence, but they have in the second?—I never had a case of that kind, but one of the persons who refused to abate a nuisance was fined 10s.

594. I ask the question because we had a case mentioned here yesterday, in which the magistrate imposed a fine of 5s., or 3s. 6d. fine and costs?—That was all for costs.

595. Then the 3s. 6d. case was a case of a first summons?—Yes.

596. But in numbers of these cases, I apprehend, the summons would be not against the occupier, but the owner, where structural alterations, such as the construction of privies or drains, are required?—I never had instructions to take out a summons against an owner.

597. You have had many cases, I suppose, where you had to serve notices on them?—Yes.

598. Have these notices been attended to by the owners?—They have, generally.

599. But is it a fact or is it not that members of the houses, many of them belonging to the Commis-

sioners, have no proper room accommodation?—That is a fact.

600. Whenever such cases have been reported on by you have the Commissioners made orders for the construction of the necessary accommodation?—I do not think there have been any houses brought under the particular notice of the Town Commissioners for want of privy accommodation.

601. Do you know of any order having been given to construct connecting drains?—There are some houses in High-street that have been ordered to have connecting drains made, and two houses in Dooland-street, otherwise I am not aware of any order to construct connecting drains.

602. Have there been any of the houses, in the case of which orders have been given to take out summonses, the property of the Commissioners?—There have.

603. Have you found on the part of those individual Commissioners any desire to remedy the evil, or have the places remained in the same state?—I never had to deal personally with a Commissioner in sanitary matters.

604. No, but you know whether or not when reports have been made on the houses of Commissioners steps have been taken by those Commissioners to remedy the evil?—I believe not.

605. In your judgment has there been any improvement in the sanitary condition of Galway during the last two years?—There has not; but I believe when the new sewerage is completed those houses which have no privies or water-closets, and the sanitary condition of the town generally, will be much improved.

606. Have you had reason to be satisfied with the conduct of the sub-sanitary officer?—I should wish to give the same opinion as Dr. Clayton in the matter.

607. Is it your opinion that one man can properly perform the duties of the office?—Considering the whole extent of the east and west districts, I believe it would take the whole time of a man from one end of the year to the other to do the duties. But if the work were to be done effectually it would take three or four men.

608. Mr. H. Perce (Town Commissioner).—There was a statement made on last day about a Commissioner whose property was reported to be in a disgraceful state. The disgraceful state of the property of that Commissioner has several times come under my notice as a member of the board. You were told that the attention of the Commissioners was called to several cases in which the property was in a most disgraceful state and nothing was done. I distinctly deny the statement of the sub-sanitary officer on that point.

609. Was the further step of taking out a summons against the owner ever taken?—Never.

610. Mr. Hynde, sub-sanitary officer (here handing in a report which he had made on certain privies and subpits).—I sent in that report on the subject and I heard nothing about it since.

611. CHAIRMAN (to Dr. Clayton).—You go into some of these lodging houses, I suppose, from time to time, attending your patients. Have you ever found a copy of the by-laws posted up in them?—Never.

612. CHAIRMAN (to Witness).—Are these lodging houses registered?—There are fifty-three registered, and I direct the sub-sanitary officer to have copies of the by-laws hung up in a conspicuous portion of the houses. It is known to every Commissioner in Galway that no notice is taken of the regulations of the by-laws.

GAWAY.
May 13, 1878.
Mr. Patrick J.
Rath.

613. Do you remember the case of a house where there was a father, mother, grandfather, three children, and a horse all sleeping together in two rooms?—I reported that two years ago, and still the horse remains in the house.

614. That is the case in which the sub-sanitary officer yesterday denied that the horse was kept in the house—but I do not think we need go further into all these individual cases; there is overwhelming evidence that

there are a number of houses in which pigs and other animals are kept, and no real effort made to get rid of them.

615. Mr. Redington.—It was stated here yesterday by Mr. James Forbes that there are some men on the road receiving wages who are not at all upon the road. I would wish you, sir, to ask Mr. Kelly, the town steward, who hands in the pay sheets every week, whether that is the case.

Mr. Kelly.

Mr. KELLY, town steward, examined.

616. Do you believe that in any instances men have been paid for work on the road who either are not in existence, or have not been doing their work?—I believe not; I am certain that they have not. I see the men placed on the streets from six o'clock in the morning. I make out the pay sheets, and every man puts his "cross" on the sheet when I pay him. I make it my regular business to check off my men every day on the street.

617. What are your duties?—My duty is to look after the men employed on the roads, and to look after the collectors of tolls and customs. I take up from them a certain amount of customs in connexion with the cross that the Commissioners are entitled to. I look after their accounts. I go through the markets frequently, take up the dockets that they issue, and hand them into the secretary's office. I receive the money from them giving on the backs of one of their dockets a receipt for the amount. I lodge it in bank every Thursday, and lay my account

before the Board and secretary, and check every docket I have handed in.

618. Is it the fact that at one time a good deal of money arising from these customs was kept back by the collectors?—Yes.

619. Mr. Redington.—There was then no check whatever.

620. CHAIRMAN.—That is exactly the statement I observed in the auditor's report, that promises to Mr. Redington's appointment there was no check, and there had been losses, but that Mr. Redington had adopted a system of checking by which the work was now done satisfactorily. Do you look after the watchmen?—Yes. I visit them on their beats at a time when they do not know; and in any cases of misconduct that I have reported to the board the board have acted on my reports.

621. Are they able-bodied, active men, or old pensioners?—They are not very old, they are able men.

Dr. Francis
Gearty.

Dr. FRANCIS GEARTY examined.

622. Are you the dispensary medical officer of No. 2 district?—Yes.

623. You have heard the state of Dr. Clifton's district described. Is your district in the same state?—The greater portion of my district is in the county.

624. Is the town part very bad?—Oh, decidedly; there are no sanitary arrangements at all in it.

625. Are the houses in some cases occupied by pigs and other animals as well as by human beings?—Yes.

626. Have efforts been made to get them out?—

They have been reported from time to time to the Commissioners.

627. As described in No. 1 district, is there a total want of petty accommodation?—There is no petty accommodation at all.

628. Have you found the Commissioners desirous to act upon your reports, or not?—Invariably desirous.

629. Yet you find the nuisances are not abated?—To my knowledge when the sanitary officer goes to the house the pig is hunted out, and returns as soon as the officer is gone.

630. That is the usual course, is it?—Yes.

CASHEL.
Oct. 21, 1878.

CASHEL.—OCTOBER 17, 1878.

(Before Mr. EXHAM, Q.C.)

Mr. John
Corky.

Mr. JOHN CORKY examined.

1. Mr. EXHAM, Q.C.—You are the town clerk?—Yes, for upwards of nineteen years.

2. The town is under the Town Improvement Act?—Yes, since 1855, for all purposes.

3. What is the number of Commissioners?—Eighteen.

4. Are all the Town Commissioners duly qualified?—Yes.

5. And have been so?—I think one of them was elected before he was twelve months in occupation.

6. Is that gentleman a Town Commissioner now?—He is.

7. When was he elected?—This time twelve months.

8. Was there any objection made to it at the time?—No, there was not.

9. Can you tell me what the valuation of the town is?—No; I cannot, because we have no rates. Our income is chiefly derived from land and house property.

10. How do you know the qualification for Town Commissioners?—I get a copy of the rate-book from the clerk of the union.

11. Could you not tell me from that how many are rated from £4 up to £12, and how many at £12 and upwards, and what is the total amount of the valuation?—I cannot.

12. What is the area of the town? Is it co-extensive with what was the parliamentary borough?—It is not so large as the parliamentary borough; for all the houses and land in the parliamentary borough, but not in the municipal.

13. Have you ever struck a rate?—Never.

14. You have some tolls?—Yes; we received last year £35 15s. 10d. from the butter market, and £15 4s. 6d. for dog tax.

15. Is there a public market here?—There is; but the only thing upon which toll is paid is butter.

16. How much do you charge?—Fourpence for weighing drakes;—2d. of which goes to the Corporation, and 2d. to the weighmaster; 1d. for lumps of 11lb. and upwards, and ½d. for lumps up to 7 lb.

17. What is the expense of the market per annum?—About £56.

18. Is the market the property of the Town Commissioners?—Yes.

19. What are the expenses of the market?—We pay £40 to the butter inspector, £15 to the weighmaster, and the porter gets 1s. 6d. a day for his attendance.

20. Is it considered advisable to keep it up, when it is a losing concern?—Yes. It is thought it will pay when we get a line of railway into Cashel.

CASEL-
ON 17, 1874
—
Mr. John
Coley.

21. Are there any debts due by the Corporation?—
£1,000; that is all.

22. When was that raised?—It was raised about
twenty years ago. It was borrowed from Mr. Conon,
the then agent. When he died the debt was paid to
his executors, and the same amount was then raised
from the present agent.

23. Upon what security was the £1,000 borrowed
twenty years ago?—On part of the corporate property.

24. For what purpose was it raised?—For the pur-
pose of paying off debts.

25. What kind of debts?—I cannot tell. I was not
connected with the Commissioners then.

26. Do you know by whose authority it was raised?
—No; but I think that they got leave from the
Treasury.

27. Was there any stipulation that there should be
a sinking fund to pay it off?—There was not.

28. You have gasworks here?—Yes.

29. Do you know when they were erected first?—
In 1844 or 1845.

30. How was the money provided for erecting these
gasworks?—In 1844 the then municipal body got
£4,000 as income rates from Mr. Pennfather, and
there was a scheme prepared by the then Lord Chan-
cellor, setting out how that amount should be ex-
pended, and it was stipulated that £2,000 should be
expended on gasworks.

31. Was that sum of £2,000 applied for the erection
of gasworks?—Only £1,092.

32. Has there been any further expenditure on the
gasworks except for ordinary wear and tear?—No.

33. And no debt contracted?—No.

34. How is the water of the town supplied?—We
have an abundance of pump-water, but persons re-
siding in this neighbourhood have a long distance to
walk in the summer time to get it.

35. I see by this scheme that £1,000 was to be ex-
pended for a supply of water to the town. Was that
expended, and was water supplied over all the town?
—No; £358 2s. 1d. only was expended at the time;
but since the Commissioners have expended £841.
That was expended about twelve years ago upon the
water.

36. How was that expended? Were there any
pumps laid down?—Yes; about twelve years ago.

37. They were to have expended it in 1844?—Well,
they did not.

38. What became of the £1,000 in the meantime?
—Well, I believe that they were allowed only £300
by the scheme for law costs; but I find by the books
that they expended £928 on law costs.

39. Were those costs ever taxed?—I think that
they were in 1844 or 1845.

40. Is there any record to show that the costs were
taxed?—I saw something about them in the books;
but I forget whether they were taxed.

41. Do you know whether the £2,000 was ever
paid to the credit of the Commissioners?—I could not
tell you.

42. Is there any account on the books of the ex-
penditure of this £2,000?—I cannot find any separate
account of it.

43. Was any account opened in any bank on account
of this £2,000?—No.

44. Do you know whether it was paid by Mr.
Pennfather to the Commissioners?—Oh, I believe it
was.

45. Is there any account to show that, or who re-
ceived it?—No; no account of the Corporation.

46. How much do you say was paid altogether for
costs?—I see in the books that the amount paid was
£928 2s. 5½d. You will see that if you refer to
October 8th, 1845.

47. How much did you say was expended on the
gasworks?—£1,092 was paid. Mr. Colquhoun's tender
for erecting them was £3,500; but I cannot trace in
the ledger that more than £1,092 was paid.

48. Is there any account of the expenditure of this
£3,000?—No; the ledger was very badly kept then.

49. And how much was then expended on flagging?
—£790.

50. When was that expended?—In the year 1844
or 1845. I believe that they were only authorized to
spend £700.

51. Was there a lying-in hospital got up?—It was
fitted up, but no patients entered it.

52. Was there anything expended upon it?—£54
was expended on fitting up one of their own houses.
It was part of the corporate property.

53. What was done with the purchase of Mr.
Whitty's interest in Costelloe's lot?—They paid £400
for it.

54. When was that?—In 1845, I think.

55. Was there anything bid out upon roads?—Yes,
£200.

56. What was done with the rest?—They gave
£1,000 to the loan fund committee.

57. Is that there still?—Yes.

58. How much did those sums make altogether?
—Well, then, they gave £200 towards the relief of the
poor in 1846, when the people were starving.

59. Out of this fund, too?—Yes; all these items
amount to £8,067.

60. Well, then, you say there was on water only
£200 expended out of £1,000?—That is all.

61. You say there is a portion of the town not sup-
plied with water?—There is. The tank is in the
centre of the town, but the people living in this imme-
diate neighbourhood have a long way to walk for it,
and some of them complain of that; they have to walk
to it in the summer weather.

62. Has the water ever been analysed?—I heard
that the same had it analysed; but the Commissioners
never had any of the waters of the wells or pumps
analysed.

63. Have you heard any complaints made of the
quality of the water?—Never.

64. In what way was the remaining £800 of the
water money expended?—On cast-iron pipes. They
were laid down under the direction of Mr. Neville, of
Dublin.

65. Have you the means of properly supplying all
the town with water?—Yes, if we had the money;
but Mr. Neville says that it would require about £900
to do so.

66. You have never struck a note?—No, never; the
people of the town are opposed to notes.

67. Do you think water is wanting?—Yes.

68. And the reason you have not struck a note is
because it is opposed by the people of the town?—I
think we will be enabled to construct a reservoir in a
short time. There is £300 in the loan fund, which we
will shortly be able to get, and then we will be able to
construct it with that.

69. You could levy a shilling rate for improvement,
and a sixpenny rate for water?—Yes; but we will
have about £400 to our credit at the bank next May,
and they wish to expend that on waterworks.

70. However, there is a want of water in the town
in summer?—There is.

71. What other income have you?—The dog tax,
and "miscellaneous receipts," such as the rent of town-
hall, &c.

72. Don't you get fines under the Licensing Act?
—No; the magistrates here seem to think that we are
not entitled to them.

73. Are they not sent down to you from the Castle?
—No; the prosecutions here are taken in the name of
the police, and not in that of the town clerk.

74. I see that at the close of 1874 you owed the
Bank £259 3s. 9½d.—We did.

75. You reduced that in the year 1875?—Yes.

76. I see Mr. Pelly, the auditor, did not surcharge
you 285 3s. 6d. paid for interest upon the over-draft?
—No; but he said he would in the future.

77. What is the interest upon the over-draft this
year?—£15 2s. 6d.

78. You used to receive tolls besides those in the
butter market?—Yes; those at fairs.

C 10885—
Vol. 17, 1874
Mr. Jordan
10 p. 10.

79. Are there fairs now?—Yes; but we don't charge any tolls now.

80. They have been given up for a long time?—Twenty years, about.

81. Who originally had the tolls here?—Mr. Jordan.

82. Does he not charge tolls now?—No. The Commissioners gave him a lease of his land, on condition that he would surrender his right to the tolls.

83. When was that?—About twenty years ago.

84. What does his land consist of?—His rent was £120 a year; but in consideration of his giving up the tolls they gave him a renewed lease of his land at the old rent. His land consists of 167 Irish acres.

85. What is the value of that land suppose it was in the market now?—I could not tell you. The agent of the Commissioners is here, and can tell you.

86. What length of lease was given to him?—Thirty-one years.

87. Do you know what he made from the tolls of the market?—No.

88. Does Mr. Jordan live near the town?—He lived within two miles of it. He is dead.

89. What is the date of the lease?—1834, for thirty-one years.

90. Will you have a good increase when that drops in?—Well, there are 167 Irish acres.

91. Isn't it worth a good deal more than £120 a year?—Well, I never walked the land.

92. Where was the market held?—In the Main-street.

93. And how many fairs were held?—There was a monthly fair, and two old fairs in the year.

94. And for not charging the tolls upon these he got the land?—Yes. He got a renewal of his lease at the old rent.

95. Is there any resolution on the books as to giving him that renewal?—There is.

96. Were they loaned to him during his time of office?—Yes.

97. Was he town clerk of the old Corporation?—He was.

98. I find that in the report of 1835 the gentlemen who then held a municipal inquiry found that under the charter of the Corporation they were entitled to hold fairs, and that the Corporation had the tolls. How did they come to lose them and Mr. Jordan to have them?—I cannot tell.

99. Is there not any minute about that on the books?—No.

100. I find this in the same report, page 471:—

"The Archbishop had the power of holding two fairs in Lady's Well-street, and that tolls and revenues were formerly charged there; but that the then Archbishop, on a representation made to him of the disadvantage to the public from the collection of these tolls and customs, discontinued them, and that these fairs had increased considerably since that time, and with great advantage to the public."

Are these the tolls that Mr. Jordan afterwards collected?—They are.

101. And in lieu of these tolls, the Corporation, you say, gave him this renewed lease?—Yes.

102. Is there not a most market?—There is.

103. Is toll collected in it?—No.

104. I suppose the stallage of that goes in amongst the rents?—It does.

105. How many public lights have you?—Forty-six.

106. Are they lighted all the year round?—No; nine months in the year, as a rule—sometimes less.

107. Are they lighted all night, or are they put out at a certain hour?—They are lit all night during the darkest nights; but they are not lit at all during moonlight nights. We work the gasworks ourselves now. The present manager is paid £75 a year, and the one before him was paid £100 a year.

108. Do you pay for the lamps by meter?—No; we charge 8s. 6d. a thousand cubic feet to private consumers.

109. How much did you get from private consumers during the last financial year?—The gas produced £415 18s. 8d.; and we got by the sale of coke £87 3s. 6d.

110. Is that all you received from the private lights in the town?—That is all.

111. Are there many people who do not take gas?—A great many.

112. What was your gas expenditure during your last year?—£627 8s. 4d., including the manager's salary.

113. What were your salaries and wages during the last year?—£199 18s. 2d.

114. What do they consist of?—£70 to the clerk, 13s. a week to the night street superintendent, £18 15s. a year to the day superintendent, 28s. a year to the man that takes charge of the fire-engines, £5 a year for keeping public lamps in repair, and £45 a year to the public weighmaster. We have two weighmasters.

115. What have you the public weighmasters for?—Weighing potatoes.

116. Do you get any tolls?—We do not.

117. What do you keep a weighmaster for, if he does not get fees?—He gets fees for weighing wool—that is all.

118. Is he a weighmaster appointed under the statute of Anne?—I don't know. He was appointed about twenty years ago.

119. As what?—Weighmaster. He was appointed by the Commissioners.

120. What power had they to appoint a weighmaster?—I do not know, but they appointed him.

121. By what authority does he charge the fees?—By permission of the Commissioners.

122. Is there any resolution upon it?—There is.

123. Showing why he is allowed to charge fees on wool and not on other articles, let me see that?—

124. Is he a different person from the better market weighmaster?—Yes.

125. There is very little better coming in here, and why could not the man who weighs the better weigh the other things. Is it a different market?—I don't know—it is in the same market.

126. What is the amount of toll received from weighing wool?—It is very little.

127. Does he get the tolls besides the £45 a year?—Yes.

128. What does the scavenging cost?—£97 the year before last, and £37 13s. 10d. last year.

129. How did it drop away so much?—There was a sewer constructed in 1874 that cost £35, and another which cost £27, and these two items were added to the scavenging account.

130. How much did you get during the last year from the Grand Jury?—£223 5s. 6d. I entered into the contract for keeping the streets in repair for that year, which included £91 17s. 6d., for flagging the footpaths.

131. Do you scavenge the streets?—Yes.

132. Did what you received pay the full amount of what it cost?—Last year we had a small profit; but they only allow us half the cost of flagging.

133. In what way do you do the scavenging?—The Commissioners contract with persons to keep the streets clean.

134. What is done with the manure?—We sell it. We sold no manure in 1875. We sold two years' supply together for £31 0s. 6d.

135. Does that represent all the manure cleared off the streets in two years?—It does. It is sold by auction.

136. You are not an urban sanitary authority?—No.

137. Is the sanitary condition of the town good?—I think it is good.

138. In what condition are the dwellings of the poor people?—I should inspect the dwellings to know in what condition they are.

139. Does anyone look after the sanitary condition of the town?—The Poor Law Guardians do I believe.

140. Are the people of the town here allowed to have pigs in their houses?—I think they are. I am told by a gentleman here that every second one of them has a pig in his house.

141. Surely the town clerk for twenty years should know whether that was the fact or not?—I believe that a great many of them do keep them.

142. Are they allowed to keep dunkys or benches in their houses?—I believe some of them do.

143. Is the town under the "Common Lodging-house Act"?—It is.

144. Are the guardians the parties who look after that?—They are.

145. Do they attend to it?—I fear that they do not.

146. Are the people allowed to keep heaps of dung close to their houses?—They are.

147. Is there any water-closet or privy accommodation provided for those places?—I believe that is only done for the small houses that the Commissioners have got.

148. Have the Commissioners ever to your knowledge made any representation to the guardians about that state of things?—They have not; but they have complained to them that the sewers required to be cleaned.

149. Were they in such a state that they required to be cleaned?—They were, about five months ago; they were in that state for three months before we got them to do it.

150. In the houses where pigs and other animals are kept have they any accommodation in the way of privies?—No, they have not.

151. Has any representation been made by the Commissioners to the guardians on the subject?—No.

152. As I came into the town this morning I saw a couple of houses unroofed, and they appeared to have been converted into public privies?—So they have been.

153. And have the guardians done nothing about that?—No.

154. To whom do they belong?—These houses were burned about two months ago.

155. And they are now a public nuisance. Have any steps been taken in reference to them?—No.

156. To whom do they belong?—To a man named Dwyer.

157. Are not these houses public nuisances this moment both to the eye and smell?—They are.

158. Has any person taken proceedings against the owner to make him abate this nuisance?—No.

159. Are there any sanitary officers here?—Yes.

160. Do they take any steps to abate nuisances in the town?—They do not.

161. Have the Town Commissioners ever called upon the sanitary authorities to prevent these people having pigs and animals in their houses, or to abate nuisances?—They have not.

162. Is there overcrowding in the houses?—I don't think there is, except in a few in Chapel-lane.

163. Has any complaint been made by the Commissioners to the Local Government Board with respect to the neglect of the rural sanitary authority?—No; there was never any complaint made by them to anyone, except to apply to the guardians to clean the sewers.

164. How many houses are there in the town in which pigs and animals are kept with the exception?—There are 750 houses in the town, and about 300 of them are inhabited by human beings and animals at the same time.

165. Did you ever hear it discussed among the Town Commissioners to try to put an end to this state of things?—Yes.

166. When?—When they were a sanitary authority themselves.

167. And did they put a stop to it?—The inspector used to endeavour to do it.

168. Have you the same inspector still?—Yes.

169. He has ceased to be sanitary inspector. What is he now?—A street superintendent.

170. Does he get the same salary now as street superintendent that he got when he acted as both street superintendent and sanitary inspector?—He does.

171. Did he make any report to the Commissioners

as to these houses and places?—He reported the sewers; that is all.

172. Are any of the gentlemen who are Town Commissioners also members of the poor law board?—Not one.

173. Do any of the guardians live in the town?—Yes.

174. What is the poor rate?—It is only 1s. 11d. at present; it used to be 1s. 4d. in the pound.

175. Do they put on any sanitary rate?—I think 1d.

176. Do they ever disinfect the houses or lime-wash them?—The Commissioners used to do it.

177. But since the power was transferred to the guardians?—They never did it.

178. Are the houses in the same condition at present that they were in before the passing of the recent Act?—Very much the same.

179. Since October, 1874, did the Commissioners make any complaint to the guardians as to the sanitary condition of the town or the state of the houses?—No, they did not.

180. Was it even ever discussed?—No.

181. Are there connecting sewers from the houses and yards?—No; there are sewers in the main street and Chapel-lane.

182. Are the houses connected by drains with these main sewers?—Yes; I think most of them are. The public sewers are very good here.

183. Then there would be substantially no difficulty in having all the houses connected with the public sewers here?—No.

184. I see you take credit in your accounts for grants for educational purposes?—Yes; we give £100 to the male National school, £80 to the female National school, £20 to the Protestant school, and £50 to the Christian Brothers' school.

185. Under what authority was that money paid?—Under the scheme of the Lord Chancellor.

186. Under it £200 was allowed for schools, but you pay £250?—Yes.

187. What authority have you for the additional £50?—Nothing but the resolution of the Commissioners.

188. How long have the Commissioners been paying the £50 a year?—We paid it since 1869; but the resolution was passed in 1856.

189. But the resolution passed in 1856 could not have justified them in making the payments in 1869?—The Christian Brothers did not come here until 1869.

190. Therefore there could not have been a resolution passed in 1856 to give the Christian Brothers £50 a year more, when they had not come here?—It was first proposed that they should come here then.

191. On the 11th January, 1870, I find that an order was made that a cheque for £25 be drawn in favour of ———— Dr. (being the amount of the half year's annuity to the Christian Brothers' school. Where is the resolution fixing that amount?—It was passed in 1854.

192. How was the amount fixed then when the Christian Brothers did not come until 1869?—It was then that the Town Commissioners invited them to come.

193. Is that the only explanation you can give as a reason of the payment of this £50 a year?—There is no other explanation.

194. Was there a house given to them also?—Yes.

195. What was its value?—We purchased it for £37 10s.

196. To whom was it let?—To the trustees of the National Board for 1s. a year.

197. There are grants here for clothing, £40?—Yes; we had authority for that under the scheme. The Commissioners give £36 to the Roman Catholic clergy and £4 to the Protestant clergy, in blankets, which they purchase.

198. By the scheme it is to be distributed amongst a committee of clergy of all denominations?—We don't do that. We give £36 to the Roman Catholic clergy

Contd.
Oct. 27, 1874.
Mr. John
Carty.

CARROLL.
Oct. 17, 1878.
Mr. John
Conboy.

and £4 to the Protestant clergy. We receive tenders for blankets, by advertisement, and then distribute them in the above proportions.

195. Have you got the rental of the corporate property?—Yes.

196. I see that the property, the subject of this writ, which was held by Mr. Pennesfather, used to pay £1,520 a year to him?—Yes. That was the then rental of the land that was recovered from Mr. Pennesfather.

197. Is £633 a year all that has been recovered out of it by the Commissioners ever since?—Yes.

198. How did Pennesfather hold it?—He held the lands under a lease from the old Corporation.

199. Was the £5,050 paid as income rates for the land?—Yes; the lease was broken by the Lord Chancellor, and the land surrendered to the town.

200. That was in 1844?—Yes.

201. Was that land sold at that time?—Yes, it was. It was valued by the then Town Commissioners

and given to the townsie who were in possession of the land under Mr. Pennesfather at this valuation.

202. How many acres were comprised under Mr. Pennesfather's lease of the 13th September, 1830?—1,548a. 3a. 5c. Irish, equal to 2,508a. 3a. 3c. British.

203. These lands belonged to Mr. Bolton before Mr. Pennesfather got them?—Yes.

204. At what rental were they let in 1844 after they were got up from Mr. Pennesfather?—£633 a year. It is set down here (rental produced in a book).

205. Is there any resolution about reletting these lands at a reduced rent?—There were two valuations appointed to value the lands. They were let from year to year; and a few of them got leases.

210. Am I to understand that the persons who got these lands in 1844 are mostly yearly tenants?—Yes; but the agent will be better able to give you information on this matter, as he knows all about it.

Mr. Cornelius
Hanly.

Mr. CORNELIUS HANLY continued.

211. Mr. BRYAN.—Are you the land agent of the Town Commissioners?—Yes.

212. You know the lands comprised in Pennesfather's lease?—Yes.

213. How many lots did it consist of?—Five.

214. Give the names and acreage?—Lot 1, Owens and Biggs, contained 143a. 0a. 27r. statute acres; No. 2, Lahr's lot, 989a. 1a. 12r. statute acres; No. 3, Hill's lot, 400a. 0a. 32r. statute acres; No. 4, Attykiet, 491a. 3a. 12r. statute acres; and No. 5, Carron, 484a. 1a. statute acres.

215. Owens and Biggs's lot, No. 1, 143a. 0a. 27r. was sold in 1844?—Yes.

216. In how many lots?—I am sure there were either twelve or sixteen lots in that.

217. Are they yearly tenants, or do they hold under lease?—Most of them are tenants from year to year. But there may be one or two leases.

218. How many were let on leases?—I don't think that they were leased at all. There were resolutions giving them leases if they would accept them; but they would not accept them. There were only one or two leases on that lot—leases of thirty-one years. The leases have only expired in two cases as yet on the commons.

219. How many leases were made on this lot in 1844?—Only one lease on that lot—one to Mathew Hanley, I think. I think it was about 9a. 1a. 30r. Irish, for thirty-one years from the 29th September, 1843, at the yearly rent of £15 19s. 11d.

220. Who was the lessee?—Mathew Hanley, who lived in the town, and was my father.

221. What is the marketable value of that land?—Well, I could not tell you that.

222. Are you the agent of the Town Commissioners?—Yes.

223. Are you in the habit of collecting rents of lands in this neighbourhood?—No; I only collect the rents of the Commissioners' property.

224. You know the neighbourhood of Cachel well?—Yes.

225. Now, I ask you to tell me candidly what is the value of that land at this moment, supposing it was put up to be let, and given to a good solvent tenant?—I don't think it would go for more than £3 an acre; at least, we are farming as good land from private parties at £3 an acre.

226. Do you know what Griffith's valuation is of that?—Griffith's valuation is £15, and the rent is £15 19s. 11d.

227. How many leases were made to this Mr. Hanley?—There were three.

228. You think it is worth £3 an acre, Irish?—I don't think it is worth any more than £2 an acre, Irish.

229. And that is, you say, the only lease upon that land?—I think it is the only lease upon that lot.

230. What is the rental of the rest of that lot?—The total rental of Owen Biggs's is £94 14s. 7d. per annum.

231. What is the total rental of Lahr's—No. 2 lot?—£217 7s. 3d.

232. What is the rental of No. 3.—Hill's lot?—£100 15s. 3d.

233. What is the rental of No. 4.—Attykiet lot?—£94 1s. 8d.

234. What is the rental of the fifth.—Carron lot?—£124 10s. 6d.

235. And the total rental is £633 18s. 6½d.—Yes.

236. That is, what was let in 1830 by Mr. Bolton for £1,550 a year is now producing to the town, £633 18s. 6½d.—Yes; but it was let under valuation by seven valuers, and they were recommended, I believe, by some leading counsel, and they had some difficulty to induce the tenants to accept these terms.

237. Do you mean to tell me that the lands let by Mr. Bolton in 1830, and continued to be let down to 1844 at £1,550 a year, since they then came into the possession of the Commissioners in 1844 are only producing £633 18s. 6½d.—That is all that is upon the rental.

238. Is all that land about the same quality?—All that land is in or about the same quality; but Owen Biggs's lot is the best on the rental.

239. The nine acres which your father got are worth £3 an acre?—I am sure that is the marketable value, if a person wanted to extract the best farming out of it.

240. What do you think a solvent tenant who intended to pay a fair rent would give for it, if it was put up for competition and duly advertised?—I think that £3 an acre would be fair for it.

241. You told me that all the land in Owens and Biggs's lot is about the same quality and value?—Oh, not at all. That is only with respect to part of that lot.

242. Now, supposing that it was put up to-morrow for sale, what would be the fair letting value of the whole lot between landlord and tenant?—I was going on the present lease.

243. You are land agent for four years for the Commissioners. What do you say, between man and man, is the present valuation of all Owens and Biggs's lot?—Well, I am not competent to give an opinion.

244. Can you form an opinion?—I cannot form an opinion about that.

245. What do you say is the value of the very worst acre of the 2,508 acres?—Some of it I would not farm at all. There is some of the land very bad. 6a. 2d. an Irish acre is the lowest at which it is let.

246. How far is the worst of it from the town of Cachel?—It is on the bounds of the lands.

247. How much is let for 6a. 2d. an acre?—It ranges

from 6s. 2d. to 7s. 8d. Attykitt I consider to be the poorest lot. It contains 491 statute acres.

248. Are there yearly tenants on that lot?—Yes; there is no lease.

249. And is that the rent they assumed it to be worth in 1844?—Yes.

250. How many tenants are there upon it?—At present twelve.

251. What is Griffith's valuation of that lot?—Griffith's valuation, £176 12s., and the yearly rent is £96 1s. 9½d.

252. It is generally believed that Griffith's valuation is about one-third under the letting value?—I don't think it is. The valuation of Owens and Biggs's lot by Griffith and the rent are nearly the same.

253. Do you think when Griffith put that down at £176 12s. it was the real value of the lot?—It might have let for that.

254. And yet you let it for £96 1s. 9½d.?—That is all it is let at.

255. And you have continued it so since 1844?—Yes.

256. What is Griffith's valuation of Owens and Biggs's lot?—£102 7s.

257. What is the rent?—£94 14s. 7d.

258. What is the value of the worst acre on Biggs's land?—It is land that wants to be reclaimed. If it was reclaimed and money expended upon it—if it was improved—it might pay a good deal more. There are thirty acres in bog that I would not value at more than 15s. an acre.

259. And for residue—115 English acres—what do you think that would bring?—I think the remainder would bring 30s. an acre; but 25s. would be about the value of it. I know that we ourselves are farming for Mr. Oust better land for 25s. an acre. There are 84 acres, Irish, in Biggs's land.

260. Do you mean to say, as a resident in this town, and knowing the value of land in the immediate vicinity of the town, that to value that land fairly you would say it is only worth 25s. the statute acre from a solvent tenant?—Well, it is near the town and might go for a little more.

261. Do you mean to say that it was not worth what was paid for it in 1845?—I am not a judge of land. I am not a competent authority upon that.

262. You are nearly three years agent?—I think three years.

263. Is it your honest belief that the lands were let at one-third of their real letting value?—Well, I would not say that.

264. I ask you again, will you undertake to say that in your opinion the land is let within even one-third of its real value?—I would.

265. Is it let at half its value? Do you believe, at this moment, that the 2,568s. 3s. 3d. statute measure, if put up in the open market, honestly to be let to tenants, would not bring £1,500 a year?—I am not a judge at all that way. I could not give a competent opinion.

266. I should like to know your opinion for what it is worth. Suppose the Town Commissioners put that land up to the public competition, do you believe that 15s. the statute acre could be got for it from an honest solvent tenant wishing to live and pay a fair rent for it?—I could not give an opinion upon that.

267. In your opinion could £1,250 a year be got for it?—I am sure it would be richly worth about £1,000 or £1,100.

268. How much further will you go?—Well; I would not like to go much further. That is 10s. an acre upon the whole of those lots, one with the other.

269. Will you tell me what Laker's lot is worth an acre?—There is some of it let at 6s. 2d. an acre, and the best of it at 15s. an acre; and it is not worth it.

270. At all events you think it would be richly worth £1,000 to £1,100 a year?—I think it would be worth £1,000 a year. I am not competent to give a valuation of it at all.

271. Excuse me for saying that the agent of Town

Commissioners ought to know something of the value of land?—I am only their receiver. They are very good judges themselves.

272. Do you wish to state as your evidence that you, the land agent of the Town Commissioners, gave it as your opinion that upwards of 2,500 acres of land adjacent to this town is not worth more than £1,000 a year?—I should say it is worth £1,000 a year.

273. You have already told me it is richly worth it. You don't feel inclined to go beyond the £1,000 a year?—No.

274. Are the interests of the tenants in these lands sold from time to time?—They are.

275. Was there a Mr. Deasel Phelan a tenant on these lands?—There was.

276. How many acres did he hold?—Sixty-seven acres.

277. When did he cease to be a tenant?—I think about twelve years ago.

278. Was a lease of the lands made to him?—There was a lease made to his successor, Mrs. Delan, in 1861.

279. For thirty-one years, at the old rent?—Yes.

280. Is it, or is it not the fact that she paid him £500 for his interest in the farm?—£550, I heard.

281. Then that farm, of which the Town Commissioners made a lease at the old rent to Mrs. Delan, was worth in the market £650?—She gave £550. I don't think the whole of the tenant farmers on the common, put together, have got £650. She was a person in the town who had made her money by trade, and wanted that farm for pleasure.

282. And gave £550 for the pleasure?—Yes.

283. Were you ever a Town Commissioner yourself?—No; never.

284. Don't you think that that was giving away £500 of the property of the town?—Well, I don't know that. I would like to see the Ulster map adopted in this place.

285. What lot was Phelan's farm on?—Laker's lot.

286. That is the lot you told me was so bad? I suppose it was the pick of the lot that Phelan had?—I think it was nearly the pick of the lot.

287. How much of the rest of the lot would you say was like that in value?—Well, I could not distinctly state that.

288. Is there one-half of it as good as what Phelan held?—I think about one-half.

289. Upon what lot was Jeremiah O'Connell a tenant?—Owen Biggs's lot.

290. How much did he hold?—Nearly five acres.

291. Did he sell his interest, and to whom?—Matthew Dwyer.

292. For how much?—£300.

293. When?—Last year.

294. Do you slide now by your statement that you believe that the annual letting value of the whole of this property is only £1,000 when £300 is given for the interest in that five acres?—I would not much mind a tenant giving that when they were making up the rent, but when they are not making it out of it, but giving these heavy prices to have land. It is different when a man has to make his living out of it.

295. I see he paid £7 10s. a year rent, and the valuation is £7 15s., and he got £300 for it?—There is no lease existing on that land.

296. Do you know Mrs. Barry?—Yes.

297. Was she on Owen Biggs's lot?—Yes; the same person bought the two lots.

298. The lot of four and a half acres and the lot of nearly five acres. What was the rent?—£8 18s. 8d.

299. And the valuation?—£8 5s.

300. And how much did he give for that lot?—was it £300 more?—I do not know what he gave for it.

301. You never heard?—Well I did hear, but I could not tell you; Mrs. Barry's lot was bought before the other. I think it was about £135 or £150, but I could not state what was the sum. I think there are some people here who know.

302. Did the Commissioners pay money for the

CARROLL,
Oct. 27, 1874.
Mr. Corbett
Esq.

Carroll,
Oct. 27, 1876
Mr. Carron
Hwy.

interests of any of the tenants in their lands?—Never to my recollection—never to my knowledge.

303. Was there a Mrs. Herriek a tenant of any portion of the lands?—Yes; she gave it up to the Commissioners.

304. Did they pay her anything for giving it up.

305. *Town Clerk*.—She got £10.

306. Mr. EXHAM.—Who was it let to?—To the representative of Mr. Cahill.

307. Was Mr. Cahill a late chairman?—I believe he was. There was a lease made to Mr. Cahill for thirty-one years in 1854 upon Hill's lot.

308. How many acres?—About eighty acres.

309. Was that lease made to the chairman himself?—At the time he got the farm he was not a Town Commissioner, but he was subsequently a Commissioner.

310. Was the lease made to himself?—The lease was made to him.

311. How many acres are in that lot?—Eighty acres two rods late Irish plantation measure.

312. Who has it now?—It is now in the possession of Thomas Cahill, at the rent of £31 15s. 6d.

313. What is the valuation of it?—£46.

314. Do you believe that was let at its real value?

315. *Town Clerk*.—That lot was put up to public competition—he was in possession when he got the lease.

316. Mr. EXHAM.—Can you express any opinion as to the value of that lot?—It is a very good lot.

317. Is it as good as the lot of your father's which you say is worth £2 an acre?—I do not think it is as good, but it is a very good lot.

318. And you say it is let for 1s. 6d. per Irish acre?—It was let by competition. Twenty-five or twenty-six years ago land was of very little value. It was advertised publicly at that time.

319. Do you consider it a fair farm of land?—It is a fair farm of land.

320. Have any leases been executed lately by the Town Commissioners?—No, not lately.

321. What is the last one?—There was a small lease lately executed for some building ground in the town. Mrs. Dolan's was the last lease made.

322. Any leases that were made in March, 1844, for thirty-one years went by out now?—The tenants are remaining as yearly tenants still. There was an increase of ten per cent. made in the rents by the Commissioners if the tenants chose to take leases, but none of the tenants availed themselves of that, and no leases were executed last year.

323. Of the year before?—No; there was only one lease of a small holding in the town.

324. Can you tell me how many leases are on the property altogether?—I do not think there are more than ten or twelve.

325. "Rathredan Green"—what lot do those come under?—Lawlor's lot (No. 2), that was given up to a tenant named Ryan. His rent was 203 15s. 8d., and the valuation is £45 5s. He is paying about 23 3s. per acre; there is only twenty acres in it. Jordan has a lease for thirty-one years from 25th March, 1856, at a rent of £120 14s. 10d. There are

houses on that part of the green which are his property; he pays £101 1s. 11d. for land, and his rent for house property is £18 15s. 11d.

326. Jordan got this in consideration of his giving up the tolls?—He got a renewal of the lease for doing so.

327. And he pays £120 14s. 10d.?—Yes.

328. Are the lands of Carron good land?—Well, no; it is not what I consider good.

329. Are these as good as Lawlor's lot?—No; part of Lawlor's lot I consider better than Carron.

330. What portion is it that Pat Hogan has?—He has fair land. I do not think there is any difference in any part of Carron.

331. I see Hogan gets 36s. 6s. 30s. Irish for 415 15s. a year?—No; his rent is £17 15s. 11d.

332. There are two leases to him—one lease of 36s. 6s. 30s. at £15 15s. a year, and the other of 36s. 6s. 31s. at £16 15s. 3d. a year?—There are two brothers living there. The rent of the representative of Thomas Hogan, £17 15s. 11d., and of Daniel Hogan, £16 15s. 3d.

333. Carron contains 298a. altogether, and you say it is all as good as Hogan's. In Hogan's two lots there are 73a., and if you take that away from the 298 it will leave 225, and you get for that only £124 18s. 10d.?—The rental of that land varies from 7s. 3d. to 9s. 3d. per acre.

334. You say that Hogan's land is paying about 16s. an acre?—Something about 9s. 10d. an acre.

335. Grace has got fifty-one acres of Carron at 7s. 8d. an acre?—Yes; it was let by competition at that time. The same farm was offered to my father, and he fell out about 6d. an acre.

336. I see Richard Price, on the Commons—his ancestors held these lands under lease of 1772 for 99 years, and then the Commissioners renewed that lease to him in the year 1848, at the old rent?—Yes; he gave up some—he has property in Cork.

337. There has been no lease since 1863 of these lands?—No.

338. I believe there is a house here that was called the fever hospital?—Yes.

339. Has it been given up as an hospital?—No, it is not; we receive £20 a year for it from the guardians.

340. Have you not got a house in which you attempted to have a school?—Yes; that is the old temporary barrack. It was formerly a lying-in hospital. It is now in the hands of a classical teacher.

341. Is it a fact that a number of young men, who were anxious to form a temperance society, applied for it when it was lying idle, and it was refused to them?—It was not lying idle; it was occupied by the teacher at the time.

342. Have you paid anything at all towards keeping up the lying-in hospital?—No; no patients ever entered it.

343. As the agent of the Commissioners, do you know anything of the sanitary condition of the town?—I think it is pretty good.

344. Do you mean as far as the streets are concerned?—Yes.

MR. PATRICK OROGARAN examined.

345. Mr. EXHAM.—You are the street superintendent?—Yes.

346. What are you paid for that?—15s. a week.

347. Were you previously their sanitary officer?—Yes.

348. Do the people keep pigs in their houses?—Some of them.

349. And horses and asses?—Yes.

350. About how many houses are there in which they keep horses and asses?—I should say about fifty.

351. Have the people in those houses any privies, cesspools, or ashpits attached to their houses?—No.

352. Where is the excrement of the houses thrown?

—At the rear, but some of the houses have no rear at all.

353. Well, what do they do with it?—They throw it into the street.

354. Is it permitted to lie there?—What is put into the street is swept up.

355. Is what is thrown in the ree allowed to remain there for a long time?—It is.

356. It is a fact that in most of those poor people's houses they have nothing but earthen floors?—It is.

357. Do you know those two houses that were burned at the lower end of the town some short time ago?—They were burned in April last.

Mr. Patrick
Carroll.

353. Are they not made regular privies?—Well, there were no doors on the place, and persons went in and made use of them.

354. If you were sanitary officer, would you consider that a nuisance?—Yes.

355. Could not the Commissioners have done something to prevent that nuisance?—They consider they have no longer any power, as the guardians are the sanitary authority.

356. Did you see the filth flowing out from the feet of these houses to the road?—Yes.

357. Are they not dangerous to the health of the poor people in the adjacent houses?—Yes.

358. Is there any overcrowding in these wretched houses inhabited by the poor people?—Only in one street.

Mr. COCKEY recalled.

359. Mr. ENHAM.—What about this house which belongs to the Corporation, that these young men wanted to form a temperance club in?—It was a long time occupied by Mr. Delahunt the classical teacher, and he died: he paid no rent for it, and he had a school there.

360. What was the rent offered for that house?—25 a year.

361. Why did he get it for nothing?—I believe he could not pay rent for it.

362. Was this the house fitted up for the lying-in hospital?—Yes.

363. Was it never used as a lying-in hospital?—At the time it was established I heard no person would enter it.

364. What became of it then?—It was used as a classical school.

365. By the scheme it was to be fitted up as an hospital, and £130 was to be applied to keep it up?—Yes.

Mr. JOHN MULLINS examined.

366. Mr. ENHAM.—How long have you been Chairman of the Town Commissioners?—Twelve or thirteen years.

367. As long as you were the acting sanitary authority did you see after the sanitary condition of the town?—We endeavoured to do as well as we could.

368. Are you satisfied with the sanitary condition of the place now?—I must confess I am not. I felt myself called upon as Chairman of the Town Commissioners to direct the street inspector to call upon the sub-sanitary officer, and to draw his attention to the state of the sewer in the town and the lodging-houses. While we were the sanitary authority the inspector of lodging-houses called at these places to get them registered, and he reported very minutely to the Commissioners, and they took steps to have them kept as they ought to be kept.

369. That is in enforcing the provisions of the Lodging-house Act?—Yes.

370. Did you make by-laws for them?—Not beyond that.

371. Are you watching the lodging-houses still?—No; the Commissioners are advised that they have no authority to do so.

372. Are you satisfied with the way in which the Sanitary Act has been carried out here?—Well, up to the time the Commissioners ceased to be the sanitary authority they generally made the inspector go twice a year through the town, and get white-wash and lime and have all the houses white-washed, cleaned and disinfected.

373. But since 1874 has anything been done about the sanitary arrangements of the town?—I am not aware that anything has been done at all since 1874, as to the sanitary condition of the town.

374. As regards the water supply, do you consider it would be advantageous to have an improved water supply?—Well, I think the water supply at present is

364. How many people to your knowledge live together in one room?—There might be a poor man and his wife and two or three children in a small room. When the Commissioners were the sanitary authority, every April and May they gave me a supply of lime and whitewash brushes, and I went round every cabin and house where they could not get lime and brushes, and I employed men and had them whitewashed, and in cases of sickness of any kind we whitewashed and disinfected the houses.

365. Have these poor people a good supply of water?—We have twelve pumps.

366. Do I understand you to say that since the guardians took up the sanitary matters there is no fire-making, disinfecting or anything of that kind?—No.

CANNON,
Oct. 27, 1875.
Mr. Pasfield
Clerk.

Mr. Cury.

374. What was done with the £130 a year?—It was paid in other ways.

375. Is there a Cashed loan fund board?—There is.

376. Did they get the £3,000?—They did.

377. Who are they?—Five commissioners and five trustees.

378. How are the five commissioners appointed?—They are appointed annually.

379. Who nominates the trustees beside?—The loan fund committee.

380. Where is the £1,000 now?—They are working it in the loan fund.

381. What is their capital now?—Over £3,000.

382. How have they £3,000 now?—By the profits, and they have expended a good deal of money in the town.

383. You said a while ago that the Commissioners were to get £200 or £700 of it?—Yes; they got liberty from the central board of Dublin to expend that money upon the town.

Mr. John
Mullins.

as good as it can be under the circumstances; but we hope in a short time to have a better. We expect to have a second reservoir to contain 9,000 or 10,000 gallons. I think the water, for 3 or 4 months in the year, is sufficient for every purpose; but for 3 or 4 months the people living in this neighbourhood, during a hot summer, have about five minutes walk to go down to the Main-street in order to get it; but for the remainder of the year they have a very good supply. We have an abundant supply of soft water, and the source from which we get it commands the town by about 300 or 400 feet. In the part of the town where we are situated at present the people complain that they have to go some distance to the tank in the Main-street, and before the water can be made available here the pipes have to be full, and it is only bog water which is conveyed to this part of the town. In the months of June and July there is not sufficient water to supply this neighbourhood.

384. Then it is perfectly clear there is a large portion of the town that is not sufficiently supplied with water?—Yes; during 3 or 4 months of the year this part of the town has not a sufficient supply of water.

385. Do you know anything about the loan fund?—Yes; their present capital has reached to about £3,200. There has been from £1,200 to £1,400 paid away under the sanction of the Central Loan Fund Board towards clothing for the poor people, increasing the supply of water, and charitable purposes in the town, and during the 25 or 30 years they have been in existence they have lost only about £3 5s.

386. I find that a sum of £300 was paid on the 3rd June, 1870, from the funds of the Board to the Commissioners?—I am now stating from documentary evidence. I was not living in the town, nor a member of the Commissioners at that time. From what I heard, the explanation of that £300 is that the Commissioners got into debt sometime before, and there

CAMBRIDGE.
Oct. 17, 1878.
Mr. John
Hoffman.

were some pressing demands upon them, and there was a surplus of money lying in this fund. Sir Patrick Haffman was treasurer of the Loan Fund Board, and chairman of the Commissioners, and by some arrangement it was agreed to withdraw £300 from the Loan Fund Board, and transfer it to the Commissioners. Immediately upon that being done the Inspector of the Loan Fund Board found that they were this £300 behind, and he recommended them to call upon the Commissioners to pay in that £300 at once.

396. Was there any sum of £300 paid to them that you know of besides this?—No, there was not.

397. With regard to this Lying-in Hospital, how was it that the Commissioners never kept it up, but let it to Mr. Delahunty?—Perhaps the best way to explain that would be this. The Commissioners in 1853 leased the entire concern to the then parish priest, to be used exclusively for a parish school. An order was made to lease the house, previously known as the parish school and yard, and the order was placed on the books to make this lease, and the then parish priest used this school as a National school, at the rent of 1s. a year. This house being on the premises, the Lying-in Hospital was not used by the public, and the parish priest took it as a dwelling-house for the National school teacher. In 1856 the people of the town were anxious to establish a classical school, and they applied to the then parish priest, who was the late Archbishop Leahy, to give them a lease of this house to establish a scientific and classical school. This continued up to within two years ago, when the classical teacher died, and there was no classical teacher could be got to take his place, and the Commissioners had the house then upon their hands. The young men applied for it to have it as a hand-room or reading-room, but they felt bound if a classical teacher could be got to come into the town to give it to him. These young men applied to the Commissioners, and offered 20s. a year for it. It is not in the hands of the Commissioners, but in the hands of the archbishop, and the Commissioners have no power over it for the time being, as it should be given to the classical teacher, should one come into the town.

398. First of all, what authority was there to let it to the parish priest for 1s. a year?—I do not know that myself—perhaps the minutes of the Commissioners will show you.

399. Did the parish priest surrender that old lease?—The lease was never made, but an order was put upon the Commissioners' books that the parish priest was entitled to go in and obtain it.

400. But he did not do that?—He did.

401. What is the house worth?—I do not know what it is worth—it is used as a Christian Brothers' school.

402. Are they allowed to have it now without paying any rent?—Yes; for the use of the children, and the Commissioners felt that they could scarcely turn the house to better account than to give it to them. They gave another house in Edgar's land for the same purpose to the National Board.

403. But all they have power to do is to give £300 a year to two schools?—I am perfectly aware of that, but this was not done by the Commissioners themselves, as it was the wish of the inhabitants that it should be done.

404. Ever since 1869 you have been giving £50 to the Christian Brothers?—At the time the scheme was adopted the Commissioners were only after recovering £600 or £700 a year.

405. They got 26,000 moore rates?—They got £100 a year.

406. They got all these lands—2,508 statute acres?—This land was recovered from the Peasants, and those schools were established on the strength of the income that would be derived annually from that property. Subsequently to that the Commissioners became active, and they got an additional sum annually from the Priests. The Priests held some property from

the towns, and the Commissioners instituted proceedings against them, and the Priests compromised the matter by accepting a renewal of the lease then nearly expired. This was additional property to what was first recovered. In the year 1866 or 1867, the people of the town began to be dissatisfied with the arrangements regarding their schools, and they called upon the Commissioners to induce a branch of the Christian Brothers to come here. The first thing they did was to give £50 out of this additional property, which was not embraced in the scheme at all. The Commissioners felt they could not turn that money to better account than to the education of the poor people. The schools were not established until 1869, and when they were established the Commissioners felt themselves bound to continue this £50. I am not going to pronounce any opinion as to the legality of that.

407. I want to ask you about this property you got from the Peasants. It now produces £433 10s. 6d. a year; at the time the Peasants had it they received the same as Bolton had let it for, which was about £1,600; and when Peasants' lease was broken, he was obliged to give it up, and pay £6,000 for moore rates. What I want to ask you is, how the property which was then valued for £1,500 a year has dwindled down to £433 a year?—The only answer that I can give you is derived, not from actual experience, but from documentary evidence. When the Commissioners got this property from the Peasants, they had some difficulty in getting the tenants to attach to the Commissioners, and the matter was laid before the late Baron Greene, and two valuers were appointed, one by the tenants and the other by the Commissioners; and these two valuers submitted the valuation to the Commissioners, which was accepted, and upon that valuation they made an order to lease the land for thirty-one years at the valuation returned to them by these two valuers.

408. But they do not seem to have demanded more?—There was a resolution put upon the books that at any time within the thirty-one years, which is now expired, the tenants could come in and get leases, paying 10 per cent. over the rent. That was submitted to the tenants, and they refused to accept it.

Mr. ENHAM (to Mr. Cowley).—I shall be very glad indeed if you will furnish me with any opinion of the late Baron Greene's upon this matter, and also any document with reference to the appointment of these valuers.

409. Mr. ENHAM (to Mr. McNeill).—Does it not appear strange to you that lands for which Mr. Bolton offered £17,000, and out of which he was receiving £1,600 a year, are now only producing £433; that the interests in portions of these lands have been sold—65 acres for £250, four and a half acres for £200, and four and three quarter acres for £150?—Witness.—It would appear strange, but the present Commissioners felt themselves bound by the order on the books until now.

410. What other corporate property is there besides the 2,508 acres?—(Rental produced in a book.)

411. Have you not got a room which is used by the Commissioners?—There is what we call the town hall in the main street. The ground floor is used as a better weigh-house and market-house. The second floor is divided into two compartments—one is the town hall and the other a small room used by the Commissioners for their monthly meetings, and at other times it is used as a reading room by the townspeople.

412. Is there any rent paid for it, and is gas supplied to it gratis?—There is no gas at all. There was gas, but it was used for public purposes. The people using the gas had to pay the Gas Company, or the Commissioners paid for it. The members of the newsroom used to pay for the gas. The Commissioners used it as a room, and the townspeople used it as a newsroom. There is no rent paid for the use of it as a newsroom.

Mr. HANLY recalled.

CANNEL,
GEO. ST. 1877.
Mr. Hanly.

413. Mr. EHRMAN—Give me the valuation by Griffith of the entire lots on No. 1 rental?—About £1,091.

414. No. 2 on the rental?—Hickey's lot?—On the whole property of the Corporation there is a tithe-rent charge of £146 4s. 10d. There is no quit-rent or crown-rent.

415. What is the rental of Hickey's lot?—£80 2s. 5d. for 125 acres, Irish. There is only one lease upon that. Griffith's valuation is £110 3s.

416. When was that lease made?—In 1854.

417. Of how much?—About twenty acres to Thomas Cawse, at 10s. per acre.

418. And the rest is all let to yearly tenants?—Yes.

419. Do you know have any tenants been disposing of their interest, and got fines?—I do not know that they have been.

420. No. 3 on the rental?—That consists of land lots in the town and house property. Part of that is Mr. Jordan's. There are 342 acres altogether, and the rent is £528 17s. 8d. Griffith's valuation is £680 6s. Some of the late Mr. Peasefather's leases exist in the place. Some of them have six or seven years to run, and some of them about eighteen or twenty.

421. How much of it is leased?—I think there are three or four leases in this place.

422. What amount of acreage is upon that? What quantity of it is under lease?—I think about 230 or 240 acres.

423. Are the rest yearly tenants?—Yes.

424. No. 4 on the rental?—That is all principally small lots on the corporate. The annual rent is £308 5s. 2d., and Griffith's valuation £244; there are 362 acres, Irish.

425. How many leases upon this?—There is only one lease which belongs to Mr. Price of 110 acres, Irish, which will be out in two years, at the rent of 8s. per acre.

Dr. MICHAEL P. CORMACK examined.

Dr. Michael
P. Cormack.

441. Mr. EHRMAN—You are the consulting sanitary officer of the rural sanitary authority?—Yes.

442. The Commissioners state that before the Act of 1874 they used to lime and whitewash, and disinfect the houses of poor people, and attend to the sanitary arrangements of the town, but that since 1874 nothing of the kind has been done?—I cannot say so. I think for the last thirty-five years the condition of the sanitary district was good. There is little disease in it—no epidemic nor contagious disease in the town; there is not a single case of fever in the town; and this is, I believe, owing to the working of the Sanitary Act. I go through the country, and the sanitary arrangements are improving. There are pigsties supplied now. I have made 146 reports, and in every case in which I have complained of nuisances I have found them abated.

443. The street inspector of the Commissioners has told me that there are about fifty houses in which people have pigs and asses in the rooms with themselves?—I cannot believe that. It could not exist without my knowledge.

444. Strictly speaking it would not be your business to look after these things, but that of the rural sanitary authority—the guardians. Surely they should have some inspector going round to see after these things?—The sub-sanitary officer is the relieving officer, and he does that.

445. That is, he is supposed to do it?—I do not leave it to him; where I hear or suspect that nuisances exist I go and inspect the place myself, and make my reports upon them.

446. Did you examine the two houses at the right hand side of the road as you came into the town, which were lately burned?—I was in them before they were burned.

447. Did you go in there since?—I do not think I did.

448. Was the water used in the town ever analysed?—I do not recollect.

449. Mr. Dennis J. Scully, &c., said that a considerable portion of the town was insufficiently supplied with water.

Mr. PATRICK BURKE examined.

Mr. Patrick
Burke.

450. Mr. Burke stated that the young men of Coshel were always of opinion that a Mechanics' Institution should be supplied by the Commissioners, and they ought to have got under the scheme, £240 for the erection of a Mechanics' Institution and Temperance Hall. They applied for the Lying-in Hospital in order to establish a Temperance Hall, and had laid out a good deal of money in repairing it, but they were spoiled from it to make way for the classical teacher. He did not think the parish priest had anything to do with it.

451. Mr. EHRMAN—How much did you expend on the hall?—We expended £1 3s. for materials, but a good number of the members were workmen, and they worked at the place. They gave their time and labour for nothing.

452. What would you say the outlay was worth?—£5 or £8. There was not a lock nor hinge in the place, nor a pane of glass in the windows. It was lying idle for a long time; it was almost a wreck when we got it.

453. Then they took it from you?—They did.

2 X 2

CASEL.
Oct. 12, 1876.
Mr. Patrick
Burke

454. Did you offer rent to them for it?—No; it was a temperance society had it; but the mechanics applied for it afterwards, and offered rent for it, but they were refused it. Twenty-five shopkeepers signed a paper saying they did not agree with the Commissioners in refusing to give it.

455. Who has it now?—This classical teacher. There are seven children in it, three or four of whom belong to the borough. We consider it was unjust to deprive thirty young men of the town of it.

456. Did they give you any reason for not expending the £340 in endowing the mechanics' institution?—No; in 1855 they expended 28 on the house.

457. Where did the balance go—the £331?—I do not know.

458. Mr. Corby.—In 1857 the mechanics applied for the house, and the Commissioners gave it to them.

459. Have they the house still?—No.

460. Mr. Burke.—There are fifty members of the mechanics' institution, and we have no place to meet. This classical school is really not in existence at all. There are two rooms in the town hall. The new-room is a small room, and there is a man named Patrick Dwyer paid £7 a year for taking care of it, and the room is supplied with coals, and there is only one or two people in the town allowed in it except the Commissioners. I was asked to appear here on behalf of the people of the town, and state these matters to you.

461. Mr. EXHAM (to Mr. Corby).—Is this new-room supplied with coals by the Commissioners?—It is.

462. Mr. McNeill.—With reference to this supply of coals—there were two tons of coal ordered for the purpose of stiring these rooms; that might have been more than that used, but the members of the new-room supplemented that out of their own pockets. £3 a year is paid by the members of the new-room, and £3 by the Commissioners.

463. Mr. Burke.—There are two men there, Corcoran, the inspector, has charge of the large room, and a man named Dwyer charge of the small room.

464. Dr. Leflan, one of the Commissioners, said that the middle classes of the town were entitled to have a school for their children, and that it was not intended

that the entire funds mentioned in the scheme should be expended in supplying schools for the poorer classes, and that the middle classes should be left without any school. They were not numerous enough to support a school such as they desired to have, and he thought that they should be maintained out of the funds in the hands of the Commissioners.

465. Mr. Burke said that there was one small portion of land (about 8½ acres) which the name had got.

466. Mr. EXHAM.—How long is that ago?—Mr. Burke.—A couple of years ago; the name was known, belonged as the tenants.

467. Mr. McNeill.—I think I will be able to explain how that occurred. There is a rule on the Commissioners' books against sub-letting. When this piece of land was brought into the market, there were two offers for it, and seeing that the name should be recognised by the Commissioners, and that the other party could not, it was given to the name.

468. John McNeill said that Corcoran, the town inspector, had two men who were employed and paid by the Commissioners for breaking stones, previously engaged on his (Corcoran's) own business.

469. Corcoran was called and denied this statement, and said that the men worked for him, and that he paid them.

470. Mr. EXHAM.—Were they allowed maintenance money by the Commissioners?—They were.

471. Did they draw it while they worked for you?—One man did.

472. Mr. Corby referred to the pay sheets, and said that his attention had been called to that fact by McNeill, that these men were receiving subsistence pay during the time they worked for Corcoran; but he did not know of their employment by Corcoran until his attention was called to it by McNeill.

473. Mr. EXHAM (to Mr. Corby).—Have you any fire-engines?—Yes.

474. And how many?—Yes.

475. Are they in good order?—They are.

476. How many watchmen have you?—We have a man for the day and another for night. We are very quiet here.

477. Dr. Cayle.—We would require two watchmen here.

Adjourned.

Dec. 29, 1876.
Mr. Cornelius
Hanly.

DECEMBER 29, 1876.

Mr. CORNELIUS HANLY re-examined.

478. Mr. EXHAM.—How much of the 2,508A. 3s. 3d. statute in Finnerthorpe's lease is leased by the Town Commissioners?—About 500 or 600 acres.

479. I want to get the particulars of every lease, its date, acreable contents, and terms; what remains behind will be the tenancies from year to year.—Witness reads:—Representatives of Michael Hanly, 4th September, 1854—there are three different leases of the same date: first, 30A. 3s. (Irish), rent, £11 17s., term, thirty-one years; second, 7A. 1s. 2s. (Irish), rent, £3 8s. 7d., term, thirty-one years; Griffith's valuation of the two is £27; those two are on Lawlor's lot; third (on Owen and Biggs' lot), 9A. 1s. 20s. (Irish), rent, £15 10s. 11d., term, thirty-one years; Griffith's valuation is £15.

480. Who is the lessee in these three leases?—Mathew Hanly.

481. Do the lands adjoin one another?—No; they are three miles apart.

482. Lawlor's lot No. 2 adjoins Owen and Biggs' lot No. 1?—Yes.

483. Are the lots on Lawlor's lot as good as the other lands?—No, they are not.

484. What is the acreable difference between them?—About 64, an acre.

485. Is the land on Owen and Biggs better or worse?—Better.

486. How much per acre?—Something about £1; it is paying 30s. an acre more.

487. Was Mr. Mathew Hanly a member of the Town Commissioners at that time?—I could not state—I do not know.

488. Mr. Corby.—He was a commissioner.

489. Was he the chairman at the time?—No.

490. Is there any resolution, and if so, give me the date of it, directing the lessee to be made to him. I should like also if there is any advertisement or resolution in reference to the putting up of this land to public competition to see it also.

491. Mr. Corby (reads).—

"26th January, 1854—moved by Mr. Dwyer, seconded by Mr. John Hanly, resolved that a lease or leases be granted to Mr. Mathew Hanly, of part of Owen and Biggs' lot, at the yearly rent of £15 10s. 11d., and of part of Lawlor's lot, at the yearly rent of £3 8s. 7d., and of part of Corcoran, at the yearly rent of £11 17s. for thirty-one years, from the 25th September last."

492. Mr. EXHAM.—Can you tell me from the minute book if Mr. Mathew Hanly the lessee was present at that meeting?—He was.

493. Was he a relative of Mr. John Hanly, who seconded the resolution?—There was no relationship between them.

494. Was there any public tender, advertisement, or notice given of these lots being about to be let?—No, there is not any record of it on the books.

495. Mr. *Moody* (witness).—These lands were originally let to a person named Moloney, and my father bought them from Moloney. There was a lease made to Moloney by the Commissioners at 12s. or 12s. per acre.

496. How much did your father give to Moloney for his interest in them?—About £150 for the lots Nos. 1 and 2.

497. Were new leases then made to him?—Yes.

498. If that is so the new leases were made at a reduction?—All the property was given by the Commissioners when they got it to the whole of the tenants at a reduction of rent. It was made before my father took the farms.

499. What is the present letting value of Nos. 1 and 2 to a fair tenant?—That is an unduly question to ask me, because I must tell you I may have an interest in the question you are asking me. I would not like to put a valuation on those farms. If they were any other person's I might do so.

500. I presume as the agent for the property you know the value of the land?—I don't wish to answer that.

501. Had your father held part of Owen and Biggs' lot 1?—There was a part of it which he purchased from Dr. Wood for £18 or £20; the other part was in the family for 100 years.

502. What rent was given for it?—He gave 30s. an acre for it; at that time it was paying 30s., and he gave £18 or £20 for it.

503. How much of the 5s. 1s. 20s. did he give the £20 for?—Something about five acres.

504. The next is Mrs. Dolan's farm on Lohr's lot No. 24—Lease dated 2nd December, 1802; contents, 68a. 2s. 3c., Irish; rent, £24 12s. 10d.; term, thirty-one years; Griffith's valuation, £47 5s.

Mr. CORRY re-examined.

515. Mr. EXHAM.—Do you know was she related to any of the then Town Commissioners?—No, she was not; these lands were Daniel Phelan's; he had not got a lease, but there was an order made in 1844 that leases should be given to the tenants for thirty-one years, and he sold his interest to Mrs. Dolan.

516. Was that publicly known?—It was.

517. Was Phelan, who proposed that resolution, a relative of the original lessee?—No, he was not.

518. Were you present when it was discussed?—I was.

Mr. HANLY re-examined.

525. To Mr. *Moody*.—The next lease is of what I shall call lot No. 5. It is that to Thomas Carow, on Lohr's lot. What is that?—The lease in the 2nd of July, 1852, and contains fifty-eight acres and thirty-nine perches, Irish—rent, £33 13s. 9d.—term, thirty-one years. Griffith's valuation, £38.

526. Had Thomas Carow been the original tenant?—I am not sure about that—I do not know. My opinion is, that he got that farm from his first cousin, a person of the name of Ryan.

527. Had you any rental settled in 1844, or any time subsequently, or did you make one out yourself?—A rental was given to me about three or four years ago, and that is the first rental I ever saw, and I continued it since; I beg pardon, it is not the first rental I ever saw, for here is a rental of thirty or forty years ago (book produced).

528. But this goes back only as far as the year 1854?—There is another before that.

529. Is this the first rental that you know of?—Yes; that is the first rental the Commissioners had that I can find. The old corporation was dissolved in the year 1840. (Mr. Corry produced in a book what purported to be a rental from the 25th March, 1844, to the 25th March, 1845, but not for any subsequent year until the one of 1854 mentioned above.)

505. That is the lot I have already heard of. She gave £650 for it—I am not sure what it was.

506. Who had the interest in that?—Daniel Phelan.

507. Was he a Town Commissioner?—He was not; he resided on the farm, he paid the same rent that Mrs. Dolan is paying at present.

508. Was he a yearly tenant?—Yes, I think he was.

509. To Mr. Corry.—Can you give me the resolution of the Town Commissioners authorizing the lease of the 2nd December, 1862, to be made to Mrs. Dolan? Mr. Corry (reads).—

"4th March, 1861. Notice of meeting was given, and on 1st April, 1861, it was proposed by Mr. William Phelan, seconded by Mr. Lytle, and resolved: 'That a lease for thirty-one years be made to Mrs. Dolan of said land, at the yearly rent of £24 12s. 10d., being the present rent.' An amendment was moved by Mr. Corry, and seconded by Mr. John J. Hooley, 'that a lease be executed only for so much of the term of years, in which the late tenant, Daniel Phelan, was entitled, and upon the same terms upon which he held it, as a divided the amendment was negatived by 3 to 2.'"

510. Mr. EXHAM (to Mr. *Moody*).—You should have no objection to tell me what was the acreable value of this lot at the time the lease was made from your former owner, as it belongs to another.

511. Mr. *Moody*.—I don't choose to give an opinion upon it.

512. £47 5s. a year in Griffith's valuation, and we all know that is generally one third under the letting value. I ask you, in your opinion as agent, what would a fair tenant have given for it?—It would be a queer thing to put up the rent after a person spending £200 or £300 on it; but I would say, if you put it up in the original state, it was worth 12s. or 12s. an acre.

513. Do you know who this Mrs. Dolan was?—Yes; she was the widow of a merchant in this town.

514. Had her husband been a member of the Town Commissioners?—He had been.

CHAMBERLAIN.
Dec. 29, 1877.
—
Mr. Cornelius Hooley.

Mr. Corry.

519. Was it a notorious fact then that Mrs. Dolan had given this large sum of money for this lease?—Yes; and there was a notice of motion given at a previous meeting to grant her the lease.

520. Was it known at the time that Mr. Matthew Hooley had bought the tenant's interest in the lands afterwards leased to him, and given large sums of money therefore?—I was not there then.

521. Do you know how much was mentioned as given by Mrs. Dolan for the land?—I believe it was over £600.

Mr. Hooley.

527. By that book the whole of the rental and rent-charge on Pennfather's lot is £547 17s. 1d., so that some time before March, 1844, the rent must have been reduced from the £1,550 payable in Bolton's and Pennfather's time to £547 17s. 1d. with rent-charge. Is that the first time you can find of it?—Yes.

528. I see from the minutes of April, 1844, that a lease was offered to Richard Woods of his lot. Did he get that lease?—No.

529. Why so?—He alleges he holds this still under the Pennfather's for ninety-nine years—a long term that is still unexpired. It contains in all over seventy-nine Irish acres, and is divided into two lots; one of these is sixty-one acres, for which he is paying £22, while Griffith's valuation is £43 10s.; the second lot consists of eighteen and a half acres, for which he pays £15 19s. 2d., and Griffith's valuation is £15 10s.

530. Was Richard Woods one of the Town Commissioners?—Yes.

531. At the time that resolution was passed, offering him the lease?—Yes; but he never accepted it.

532. (Referring to minutes.) On the same day Mr. Dolan proposed that a lease be executed to Mr. Carow (he being then present), of a part of Lohr's lot, at 2s. 2d. per acre, and on the same day Mr. Kearney

CAREW.
296. 72. 1926.
Mr. Hanly.

moved that a lease be executed to Mr. Dolan of lands, that portion of Owen and Biggs' lot that your father afterwards held. Compared with Woods' lot, what was the value of it?—There was portion of it better, and a good deal of it a good deal worse than my father's.

533. Taking it all in all, what was the difference?—I should say my father's, at that time, would be 10s. an acre better than Woods'.

534. Then, on the same day, your father gave notice of motion that he would offer £1 10s. an acre for portion of Owen and Biggs' lot then in his possession—five acres!—That appears to be so.

535. The Charter House School lands, twenty-two acres—was that lot to Michael Dolan (now Mrs. Dolan)?—Yes.

536. What was the date of that lease?—The lease is out presently.

537. The lease is directed to be made on the 1st of May, 1842, and therefore it was out in 1873?—It was not out until this year, because they did not make the lease for some years afterwards.

538. Has that been relet?—No, Mrs. Dolan is in possession still; the lease was made in 1844.

539. Has she been allowed to hold it ever since?—Yes; the rent is about £10 higher than the valuation; the valuation is £45, and the rent £55.

540. Do you think Griffith's valuation is excessively high with regard to that?—I don't think any such thing; I think she is paying the full value.

541. For the twenty-two acres?—Yes.

542. And Griffith's valuation you think tolerably fair, being £10 under the rent?—Yes.

543. But where the valuation is over so much higher than the rent you think Griffith's valuation is too high and that the rent is right?—I think Griffith is liable to mistakes in his valuation as well as any other individual.

544. I see the same day a lease was to be made to Thomas Carew, then one of the Town Commissioners, from September, 1843, and the lease was never granted until July, 1852, when an additional farm was given to him. What do you say of Griffith's valuation as compared with the rent that Mr. Thomas Carew is paying?—Griffith's valuation is in excess of the rent there.

545. How much in excess would you say?—I could not say.

546. Has Griffith put down half as much more?—Yes, about that; it is a poor tillage farm.

547. Mr. Thomas Carew in 1844, is ordered a lease of 11a. 2s. 14s. and 30a. 1s., at a rent of £39 6s. 10d. Griffith's valuation is £38. He originally paid £39 0s. 10d. for only 41a. 3s. 14s., but a new lease was made to him on the 2nd July, 1852, of fifty-eight acres and thirty-nine perches at a rent of £25 13s. 6d. for thirty-one years. Can you tell me anything about that?—I know nothing about it, but I say the adjoining land is a great deal better.

548. Can you tell me why he got in 1852 for £25 13s. 6d., more land than he was paying £39 0s. 10d. for before that?—I don't know.

549. I see here again that in 1855, Thomas Carew held part of Lalor's lot, 14a. 2s. 36s. 1s.—Yes; he has two lots of ground on Lalor's lot, one of 58a. 39s. and another of 14a. 3s. 36s. I beg pardon. There must be two persons of the same name on Lalor's lot; there was another Thomas Carew there.

550. To Mr. Coyle.—Can you give me a resolution in 1852, directing a lease to Thomas Carew of 58a. 0s. 39s., at £25 13s. 6d. a year for thirty-one years. Is there any resolution of the Town Commissioners of that date by which his rent was reduced by nearly £16 a year?—I cannot find any resolution on the books ordering this lease to Carew.

551. To Mr. Hanly.—There is a lease to Avery Jerlan?—Yes, an order was made for a lease to him

on the 11th of February, 1857, of 161a. 2s. 31s. The order is made to grant the lease from the 33th of March, 1856, at a rent of £101 13s. 11d. for thirty-one years. Griffith's valuation is about £170. He held the land under the Penefathers, but I don't know at what rent.

552. At that time Mr. Jordan held 186a. 1s. 19s. of George's land?—Yes, of George's land and Lalor's lot; George's land was only a small portion adjoining the Great Green. He gave up about twenty or twenty-four acres of the Green.

553. Can you tell me the valuation of the other portion of what he held on the Green?—That is given up to Ryan.

554. What is the rent of Little Green?—That is some house property he has there; he pays £130 14s. 10d.; he has 6a. 2s. 6s. for which he pays £18 18s. 11d., and he has four houses on the Little Green; and Griffith's valuation of that is £9 1s. He was town clerk to the Town Commissioners, but he never was a Town Commissioner himself.

555. Lease to Pierce Grace. What is that?—That was made on the 4th of September, 1854, of 51a. 3s. 1s. situate in Curran, at 7s. 8d. the Irish acre, for thirty-one years. I believe that Grace's lot was let by competition at the time.

556. How much has he in Atrikill?—22a. 3s. 2s., at 6s. 3d. the Irish acre, for thirty-one years, from the same date; he pays for the two holdings £27 1s., and Griffith's valuation of them is £42.

557. In that case also do you think that Griffith has put nearly double the value on the land?—It was put up to public competition.

558. Who held it before?—Elliot held the Curran lot.

559. What sort of land is Atrikill?—The worst in the county. I think it is the worst townland I ever saw.

560. Has Griffith's valuation been altered?—I don't think it has.

561. Was not Griffith's valuation of this land made in very depressed times?—I know this farm was taken by competition.

562. Lease to Thomas Hagan. Give the particulars of that?—That lease was made on the 4th of September, 1854, of 36a. 0s. 39s., at a rent of £15 15s. 3d., for thirty-one years; Griffith's valuation is £34; he got two acres additional land, and his rent is now £17 18s. 11d.

563. Is that case Griffith's valuation is double the rent of the land?—Very near.

564. Do you think it right that that man should be paying rates on a valuation of £34, if the land is not worth it?—The original lease made by the Penefathers of that land was at 12s. and 13s. an acre.

565. Lease to Denis Hagan. What about that?—That lease was made on the 4th September, 1854, of 36a. 1s. 21s., at the rent of £16 13s. 3d., for thirty-one years. Griffith's valuation is £34 5s.

566. Have you any difficulty in getting the rents in these cases?—Indeed I have. I had to threaten judgments against them.

567. Lease to Thomas Carew. What is the date of that?—The 4th of September, 1854, of 90a. 1s. 12s., at a rent of £10, for thirty-one years. Griffith's valuation is £7 4s.

568. What is the date of the last lease?—5th September, 1854. I don't think there are any more leases made of the land. I think Mrs. Dolan's was the last lease, except one to D. Coyle, of a piece of ground adjoining his house. He built a house on it, and a building lease was made to him of seventy-five years.

569. I find with regard to Grace's lot that there is a resolution of the Commissioners of the 7th of July, 1850 (Mr. Grace, a Commissioner himself being present) and it appears there were proposals made by four persons for the lands that were afterwards leased to

Mr. P. Grace, but I have not the proposals and the resolution is to the effect, that the lease be executed to Mr. Grace, from 29th of September, 1850, for thirty-one years; but I find the lease was not executed until 1854. Why did Grace get it, and why was the lease not made until 1854?—I can't tell.

570. Do you know the portions of the commons that was owned by a man named John Sturdy?—Yes.

571. How many acres did he hold?—Seven or eight acres.

572. Was he a yearly tenant?—Yes.

573. Was he the original tenant?—Yes.

574. What rent did he pay?—I suppose he paid the same rent as the present man, Kearney.

575. How many acres did he hold?—I think about eight acres. I see in 1834 he held five acres and thirty-three perches, at a rent of £5 15s.

576. Do you know whether he sold that to a man named Kearney?—Yes.

577. Is it or is not a fact that Kearney gave him £130 for his interest?—I heard he gave £100. I don't know what he paid for it; Sturdy is dead; Griffith's valuation is £6 10s.

578. How long is it since Kearney gave that sum of money for it?—I suppose four or five years.

579. Do you recollect me reading out a resolution to you that there was to be no sub-letting, and that assignees would not be recognised?—Yes.

580. Was Kearney accepted as a tenant?—Yes.

581. Was it known to the Commissioners that Kearney had bought that man's interest in this ground?—I suppose it must have been.

582. Do you know as a matter of fact, that Kearney let that £9 an acre, for the two following years after he got it?—I could not tell. That would be for potatoes, but that would not give the relative value of the land.

583. What is this Kearney?—A labouring man.

584. Upon what part of the commons did Sturdy hold this land?—Owen and Bigg's lot.

585. Was it better or worse land than the other land upon that lot?—It is all the same, except some bottom land.

586. Owen and Bigg's lot comprises 143a. 0n. 27r. statute measure. Do you say it is nearly all of the same value except this bottom land? How much of it is bottom land?—About forty acres.

587. And the rest is about of an equal quality?—Oh, there is a difference.

588. Was Sturdy's lot as good as the rest of it?—I think it was.

589. I find this resolution on the books, 1st February, 1847—"That no tenants on the Commons of Cork, under the Commissioners, be allowed to assign or sub-let their holdings to any person without the consent of the Commissioners." Do you know how much a man of the name of Shea held?—1a. 1r. 13p. Irish, on Ledor's lot, at 7s. 2½d. an acre. His rent is 9s. 6d.

590. What is Griffith's valuation?—£1 10s; Shea gave that up three or four years ago.

591. I understand that a person named Purcell occupies that now?—Yes.

592. Did you ever hear what he gave for it?—I don't think I did.

593. It is stated to me he gave £50 for it?—I don't know. He might have given that; he is living in the town at present.

594. What has become of Shea?—He is gone to America.

595. The rent you got for that altogether is 3s. 6d., and Griffith's valuation is £1 10s. What do you say a fair tenant would give for it?—That little bit of land is greatly improved.

596. Did you hear that Purcell purchased the interest of Shea?—I heard that.

597. Did you hear what he paid for it?—No, I did not.

598. Is Purcell in the same class of life as Kearney?—No, he is a dealing man.

599. Do you recollect that land when Shea gave it up?—I do.

600. What would you say was the letting value of it?—I cannot tell. It might be worth 15s. an acre, with the improvements.

601. I ask you what, in your opinion, was the fair letting value of that ground when Purcell bought it? If you don't wish to give me an answer say so?—I would rather not give my opinion.

602. You don't like to give an opinion of what Shea's land was worth?—Yes; my opinion is that it is according to a man's pocket. If a man has £500 or £1000 he will give 16 for a piece of land that is probably not worth £100.

603. Do you know a person of the name of Patrick Kennedy?—Yes.

604. How many acres does he hold?—About five Irish acres, at 6s. 2½d. an acre.

605. How long is he there?—He had part of it purchased before my time, and he is not recognised as a tenant for the first part by the Commissioners. I don't know who he purchased the first part of it from; he pays 11s. 7d. an acre for the Widow Maloney's lot, and he holds John Murrin's, and pays £1 15s. 2d. for it.

606. Do you know why the Commissioners refused to take him up as tenant for the one lot? Who holds it?—Kennedy holds it in his possession, but they took him in at Murrin's rent, £1 15s. 2d.; Griffith's valuation of that lot is £5.

607. What has become of Murrin?—I don't know; I heard he went to America.

608. Did you hear that he bought Murrin's interest in it?—I did.

609. Did you hear what he gave for it?—No.

610. Did you hear he gave £75 for it?—I could not tell what he gave, so I never heard it.

611. Who is Kennedy?—A provision dealer in the town.

612. Has he any other lots?—He has a lot of his own held by himself.

613. Could you tell me any other lot he purchased that your Commissioners recognised him in?—Yes; Murrin's lot, and the Widow Maloney's lot at 11s. 7d.; they recognised him on that.

614. Did you hear whether he purchased that from the widow?—I don't know; I never made inquiries.

615. Was there any tenant of the name of Robert Taylor?—Yes.

616. How much does he hold?—Twelve acres at 10s.

617. On what lot?—On No. 4 rental.

618. What is the valuation?—The present occupant is paying £3 11s., and the valuation is £11 10s.

619. Who holds it now?—Michael O'Sullivan; he is a Town Commissioner.

620. Did you hear what he paid for it?—I never heard; I heard he bought it all.

621. When did you hear that?—Some eight or nine years ago.

622. Do you mean to say you never heard what he gave for it?—I did not.

623. Do you mean to say you never heard he gave £100 for it?—I might have heard it, but I don't remember; he might have given £300 for all I know.

624. Mr. ENAM—I find here on the books a resolution of the 7th of March, 1860, to the effect that any tenant parting with a portion of his land without the consent of the Commissioners, be ejected. Do you know a tenant of the name of Billy Ryan?—Yes.

625. Is he gone to America?—Yes.

626. How many lots did he hold altogether?—Several.

627. Four, I believe?—I am sure he did.

628. Did he hold eight and a half Irish acres that are now held by Patrick Farrell?—Yes.

CAPTAIN
JAN 25, 1876.
Mr. Sturdy.

CASES.
Dec. 22, 1872.
Mr. Healy.

639. At what rent?—£5 6s. 6d.
640. And what is the valuation?—£7.
641. Did you ever hear what Patrick Farrell gave him for that?—No, I might have heard.
642. Did you hear he had bought it?—I heard he bought it.
643. Did you hear he gave £200 for it?—I could not exactly state whether that was the sum he gave.
644. Did you ever hear he gave about £200?—I did not.
645. Or any sum?—I heard he gave some sum.
646. Is Patrick Farrell living in the town?—John Farrell is the man that bought it. He is in court. He is not recognised by the Commissioners at all; the same name is still down in the rental—"William Ryan"—and he is gone to America these four years. I give the receipts "William Ryan, per John Farrell."
647. Now, I ask you, what do you honestly believe that eight and a half acres to be worth for which, I am informed, he gave £200, subject to the rent of £5 6s. 6d., while the valuation is £7?—I don't know what it is worth. I gave the receipts the same as my predecessor gave them.
648. What do you honestly believe that land to be worth?—I decline to give an answer.
649. When last have you given your opinion as to the value of land?—I said I was not competent to give an opinion.
650. Have you been since directed not to give any opinion as to the value of the land?—No, I have not.
651. Had that William Ryan another lot of seven Irish acres now held by John Ryan?—Yes, that is his nephew.
652. What rent did he pay for that?—£4 15s. and Griffith's valuation is £6 5s.
653. How long is it in the possession of his nephew John?—Since before my time, I think.
654. Did you give the receipt for that land in the same terms as in the previous case?—In the very same terms.
655. Did you hear whether William sold the interest in that to John?—I am not sure. I am very sure he didn't give it away for nothing.
656. The rent being but £4 15s., and the valuation being £6 5s., do you decline, with regard to that lot, to give me your opinion as to its value?—I think the valuation of Griffith is high enough on that land. It is a bad part of the land.
657. Did you ever hear that John Ryan gave £180 for the interest in that?—He might have given it.
658. William Ryan held another lot that Denis Ryan has now. How many acres are in that?—11s. 3s. 25r. Irish, the rent of which is £4 3s. 3d., and the valuation, £10 5s. It is a yearly tenancy.
659. And William Ryan, who has gone to America, had that also?—I could not tell you whether Billy Ryan held that at all or not. I see by the book for 1855 it was in the hands of Denis Ryan; he is the recognised tenant. I give receipts in his name.
660. Do you believe that land to be worth more than Griffith's valuation, or do you decline to give an opinion?—Oh, I think Griffith's valuation is too high.
661. How much?—That farm of Denis Ryan's is a very wet, bad sub-soil.
662. I ask you, according to your opinion, what is its letting value?—I decline to answer.
663. He held another farm from John Dwyer; how much is in that?—That farm was divided between Michael O'Sullivan, Town Commissioner, and John Dwyer. I think there is 8s. 0s. 25r. Irish, in it.
664. Did you ever hear whether they bought Billy Ryan's interest in that?—I heard they bought his interest, but I could not tell you what they paid for it.
665. Did you ever hear they gave £140 for it?—I could not say.
666. Did you know Billy Ryan?—I did.
667. Do you know the field that was called "Dr.

- Graham's"?—Yes, I do. It was in the possession of the representatives of John Cummins. It consisted of 7s. 3s. 8r. Irish, and the rent was £16 14s. 6d. Of that 7s. 3s. 8r., my father got about five acres, and Cummins got about two acres.
668. Was your father a Town Commissioner in 1854?—I could not tell.
669. Mr. Gerby.—He was a Town Commissioner in 1854.
670. Mr. EXHAM (to Mr. Healy).—Can you tell me how it was the rent was reduced from £16 6s. 6d. to £11 at the time your father got the lease?—I can't.
671. Do you know why Cummins got the lease?—I do not.
672. Did Cummins buy that land?—He might have.
673. Did you hear it?—I might have.
674. Do you know the place called the "8s. Field"?—Yes; that is a lease made by the Freeholders long before the Commissioners coming into the property.
675. Mr. James Phelan, holds that forty-five acres for £15 14s. 4d. What is the valuation of that?—£23.
676. What is the date of that lease?—The lease will be expiring in about six years; it was made to Charles Wogan, for £15 14s. 4d. a year.
677. Then Phelan bought Wogan's interest in it?—I could not tell.
678. What did Phelan do with it?—He had it sub-let.
679. To a person named John Scully?—Yes.
680. At £3 10s. an acre?—Yes; it is adjoining Owen and Bigg's lot between that and the town.
681. Is it of the same class of land?—No; it is much better land.
682. Do you consider Griffith's valuation of that land excessive, or would you like to give an opinion about it?—I think Griffith's valuation is not excessive.
683. Do you know that your father purchased Scully's interest in that?—Yes.
684. For how much?—£250.
685. That is exactly the information I got; that Matthew Healy, the Town Commissioner, bought Scully's lot for £250; that Scully's sub-lease expired last year?—Yes.
686. When will Phelan's lease be out?—It will expire in six years.
687. When did your father purchase that?—About thirteen or fourteen years ago. I don't think my father ever took out of it what he gave for it.
688. Who was this Mr. John Scully?—A solicitor of the town.
689. Was he a Town Commissioner?
690. Mr. Gerby.—He was.
691. Mr. EXHAM.—Was Mr. Phelan a Town Commissioner?—He was.
692. Mr. EXHAM (to Mr. Healy).—Do you know a person of the name of Michael Stapleton?—I do.
693. What part did he hold?—He was in Owen and Bigg's lot. He had a part of Graham's; his father bought it from Graham, and sold it to Cummins.
694. At all events, Cummins is the person who has it now?—Cummins is the person in the rental.
695. Do you know Thomas Hogan?—Yes; he is in Carron.
696. Do you know the portion that William Moloughney, bought from Thomas Hogan?—I think it was from Michael Hogan he bought the land.
697. Was that a lot of two acres?—Yes.
698. Are you receiving the rent now from William Moloughney?—Yes, £1 5s. 3d.; and the valuation is £3 10s.
699. What has become of Michael Hogan?—He has another lot.
700. Did he sell that in the bad time?—I don't know. I gave the receipt in William Moloughney's name.

691. Did you hear he gave £20 for it?—No.
 692. Do you know the name of the gentleman who valued this property for Griffith?—I don't know his name; we must deal with things as we find them, and I say that Griffith's valuation on the commons is too high for a poor village country.

693. Do you know Richard Stapleton who bought a large lot from Thomas Ryan?—I can't tell you who he bought it from; but I can give you his rent.

694. How much is it?—In Hakey's lot it is £6 2s. 6d.; and in Longhall, £13 14s. Richard Stapleton holds that now.

695. Did you ever hear he bought it from Thomas Ryan?—Yes.

696. Did you hear what he gave?—No.

697. Because I am told he gave £350 for it?—(No answer).

698. "Fox's-den." Who is the tenant of that, do you know?—Yes, he was the late Richard Woods, a Town Commissioner, and it was sixty-one acres Irish, on a ninety-nine years' lease from the Pennesfather at £26 a year—valuation, £43 10s.

699. Did you think Griffith's valuation of that lot excessive?—I decline to give an opinion upon that.

700. Is it subject to Daniel Foley at £1 15s. an acre?—I can't tell.

701. When did you say Richard Woods' term expired?—I don't know; he has a lease from Mr. Bolton, I am told, but I don't know.

702. Do you recollect a tenant in Attikitt, named James B. Keatinge?—I remember him as a man long before my time.

703. Have you a man named Daniel Foley a tenant?—The same; his rent is £7 11s. 4d.; the valuation is £15 10s.

704. How many acres does he hold?—It is named twenty-one acres.

705. I hear that Daniel Foley gave £150 for that?—I don't know.

706. Do you know Michael Curran?—Yes.

707. How much does he hold?—There are two Curran's—one on Young's part and the other on Laker's.

708. What is his rent?—His rent is £12 2s. 11d. for about twenty-seven acres, and the valuation is £12 15s. He holds from year to year.

709. Is Curran a Town Commissioner?—He is not; he is living on the farm.

710. Did you hear he was about selling it this year?—I never heard that. I know his cart was carted off last year, and he has been near selling.

711. Did you hear he was wanting to sell it, and asking £600 for his interest in it?—No; I never heard that.

712. Do you know farms that are held under a

lease called "Goldbett's Lease"?—No; I do not. There is the Pennesfather's lot, held by the representatives of the Pennesfathers, but I don't know what it is called.

713. Do you know any farms that are to fall in in a couple of years?—No. There is a part of Thomas Pennesfather's up in ten years, and there is a part of the lands belonging to the representatives of Thomas Pennesfather will not be coming in for about eighteen years. The Commissioners have not got Goldbett's lands in their lease.

714. Was it before your time that Mrs. Harrick's lot on the commons was taken up by the Commissioners?—That was before my time. That land was completed for.

715. It was let to Mrs. Cahill?—Yes.

716. You know Mrs. Cahill's house?—Yes; the valuation of that is £19 5s., and the rent is £10 a year.

717. Mrs. Cahill, I am told, is the widow of the late chairman?—Yes.

718. Does she hold it by lease, or as a yearly tenant?—A yearly tenant.

719. Was it let to her before your time?—Yes.

720. Have you ever been present at any meeting of the Town Commissioners when the property of allowing the people to sell the interest in their small farms was discussed?—I don't think I have. I don't think it occurred during my time.

721. Who is in possession of the Sja Field now?—Mrs. Phelan.

722. That is in Laker's lot. Do you say that Laker's is all about the same acreable value?—I think a good deal of it better than others.

723. Can you give me the acreage in statute acres, the rent, and Griffith's valuation of all the lots in Pennesfather's lease?—Yes.

No. 1. Curran's and Eggs'	Acreage.	Rent.	Valuation.
14.	A. R. T.	S. D. S.	S. D. S.
No. 2. Laker's lot.	148 0 0	94 14 7	102 7 0
No. 3. Laker's lot.	302 1 12	217 7 0	425 3 0
No. 4. Attkitt's lot.	409 0 0	329 15 8	399 12 0
No. 5. Attkitt's lot.	491 3 22	96 1 14	174 12 0
No. 6. Curran's lot.	484 7 0	324 19 1	283 6 0

724. Do you know anything of Judith Keatinge's holding?—She held 27 acres of Attikitt, at a rent of £15 8s. 3d.; Griffith's valuation is £18 12s. Wm. Owen seems to have got that, and there was added to it 2s. 3s. 27s., and the rent was reduced to the sum of £19 15s. 8d.

725. How was that done? There is a resolution here of the 5th of April, 1852, declaring William Owen a tenant for 29A. 3s. 27s., at the annual rent of £10 15s. 8d. That's all I know about it.

MR. DANIEL FOLEY examined.

Mr. Daniel Foley.

726. Mr. KERR.—Do you hold land at Fox's den?—Yes.

727. How many acres on it?—Sixty or sixty-one acres. It is part of Hill's lot.

728. Who is your landlord?—The representative of Richard Wood.

729. These of course are Irish acres?—Yes.

730. How much rent do you pay?—£100 a year.

731. Have you a lease from him?—Yes.

732. For what term?—Thirty-one years.

733. From what time?—From '58.

734. I see that your valuation is £43 10s. 4d.—Yes.

735. You pay the rates on that?—Yes.

736. Did you give any fine for it?—No.

737. This Wood appears to have made a very good thing of it?—It is not worth what I pay.

738. At all events Wood has been making £74 a year out of it, for he is only paying £26 a year for it. Do you know that?—I do.

739. Have you any of Attikitt?—I have.

740. How many acres?—About twenty or twenty-one.

741. Are you a yearly tenant?—Yes.

742. How did you get this twenty-one acres?—Through my father-in-law.

743. Keatinge was the former tenant?—Yes.

744. He paid £7 11s. 4d. a year for it?—Yes.

745. Are you paying the same now?—Yes.

746. How much did you give for it?—I paid nothing for it myself, but my father-in-law, Roger McGrath, in '61, bought it from Keatinge for £140, and he made a present of it to his daughter, my wife.

747. And you continue to rent it ever since?—Yes.

748. Did the Commissioners after that accept you as tenant, and accept that rent from you?—Yes; but a few months ago, previous to the last gale day, they wished an increase of ten per cent. from me. This year they passed a resolution, and demanded an increase of ten per cent. from all the yearly tenants, and issued circulars for that purpose, of which I have one.

749. I suppose your father-in-law thought that Keatinge had a right to sell it?—Yes.

CARROLL.
Dec. 26, 1874.
Mr. Daniel
Foley.

750. Did you answer the circular?—Yes.
751. Have you a copy of your answer? (Letter handed in to Mr. KILHAM.)
752. Mr. KILHAM reads:—
“Gentlemen,—I have the circular of your agent, together with a copy of the resolution of the Town Commissioners, in reply to which I beg to call your attention to the fact that I bought the town’s interest in the lands of ARIKITT, with the sanction of the Commissioners, with the full understanding expressed by them to me that I would not be disturbed so long as I paid rent. Under these circumstances I release your offer, and object to any change in the terms of my tenure.”

“Truly,
“DANIEL FOLEY.”

That is a copy of your letter?—Yes.
753. You say the Commissioners distinctly gave you to understand that you would never be disturbed so long as you paid your rent?—That was only verbal.
754. You say the Commissioners distinctly promised yourself that as long as you paid your rent you should not be disturbed. I want to know if you can give me the names of any of the Commissioners who made that promise to you?—I don’t recollect distinctly where I was talking to; but I say I had a distinct agreement with them, and so had my father-in-law.

Mr. Richard
Spangton.

755. What lands do you hold?—I represent Pat Ryan, who held twenty-nine or thirty acres of Hickey’s lot, Longgill and Price’s lot.
756. When did you buy it?—About five years ago.
757. How much do you say you gave for it?—£335, including a lot of farm stock (seven cows, two two-year old heifers, five yearlings, pair of horses), farming utensils, a rich of hay, and two stacks of oats.
758. The £335 was for that?—Yes; the land and all together. I bought the whole of it at that.

Mr. RICHARD SPANGTON examined.

759. What rent do you pay for it?—£18 18s 6d.
760. Do you know what the valuation is?—£26 15s.
761. Could you tell me the value of your interest in these farms?—I could not tell you that.
762. Were you trying to sell it this year?—No.
763. Did you get one of the circulars from the Commissioners?—I did.
764. What did you do with it?—I didn’t mind it.
765. Is that all the land you hold?—It is.

Mr. Michael
Spangton.

766. Mr. KILHAM.—I see your father held four and three-quarter acres on Oweas and Bigger’s lot?—Yes.
767. Did your father sell it?—Commission bought that.
768. What rent did your father pay for it?—I think 47 cobs.—£7 15s a year.
769. How much did your father get for it?—I think it was £60, and he would have got £100 if he had kept a hold of it.
770. Do you know how much of it Hanly (the agent’s) father got?—In or about four acres. What Dr. Graham told. My father was about to buy the portion that Matthew Hanly got from Dr. Graham for £30, but Matthew Hanly stepped in and bought it over my father’s head.
771. Does Cummins pay rent still for it?—I don’t suppose he pays less for it. I remember my father selling the land, and I appeared before the Commissioners, and I thought I should have it myself. I was to get it by marriage articles, but notwithstanding that they let Cummins get it. Hanly had the other portion, which he bought from Graham before that. I don’t think the part my father held was recovered at all.
772. Do you know what your father paid Dr.

Mr. MICHAEL SPANGTON examined.

Graham for it?—I think about £30; he sold it to Cummins for £60; but only he was fond of a drop and that they came round him, he would have got £100.
773. Has there, to your knowledge, been much dealing by the people who have that land selling their interest in it?—There was a good deal of it; I know of another field near that, and I believe there was £99 paid for it; it was five and a half acres, and it was sold by Mrs. Beary.
774. What rent did she pay for that?—35s per acre; the man who bought it is there still. I forget his name; there were also nine or ten acres sold by Jerry Connell to Dwyer, and I heard he got £350 from Dwyer for it.
775. Do you know how much Billy Ryan got for his lands?—Well, I heard he sold them, and that he got a good deal altogether, but I could not say how much. There are some of them selling it but those who are getting money for doing so; they can all get money for it.
776. What sort of a farm is Michael Carow’s?—He has a house and twenty-eight acres Irish.
777. Did you hear whether he was trying to sell that?—I did not.

Mr. John
Coley.

Mr. JOHN COLEY re-examined.

778. Mr. KILHAM.—You expended originally in the gasworks nineteen hundred odd pounds. When these gasworks were built, what was done with them?—The Commissioners worked them a short time themselves, and then let them to Mr. Ryan for fourteen years.
779. He was to supply gas to private consumers at 4s. 3d. per 1,000 cubic feet, and the public lamps at 4s. 8d. per month each.—Mr. Ryan to keep everything in repair?—Yes.
780. You had not to pay any interest on the capital laid out?—No.
781. Who was Mr. Ryan?—He was a resident of Cashel.

782. Did he ever enter into any security to keep the place in repair?—No, he did not.
783. When was that agreement made with him?—That lease expired in 1867, and then they gave him a contract for three years more upon the same terms as the old lease; he did not continue working it for the last three years, for the moment the lease advanced in price Ryan threw up his contract as he could not work it unless at great loss to himself, and the Commissioners could not compel him as he had given no security.
784. Was he originally to have given security?—No, not at any time.

GASHEE.
Dec. 29, 1876.
Mr. John
Carp.

792. What condition did he give up the works in?—In a very bad state.

793. Were they in a bad state when the fourteen years fell out?—They were.

794. Did the Commissioners not require him to put them in repair?—They did.

795. Did he put them in repair?—He stated he did. When the second lease expired he was to have put them in repair.

796. Was it seen whether he had put them in repair in the meantime?—It was not.

797. Was there any resolution passed by the Commissioners requiring him to repair them?—No; it was not known then whether they were in good repair or not.

798. This was at the end of the second lease; but was it known at the end of the fourteen years' lease that they were in bad repair?—Yes; and he promised to put them in repair, but no one saw whether he did so or not, and at the end of the second lease which was for three years, the contract was renewed with him, although the Commissioners had not seen whether he put them in repair or not; and then he ceased to work them in September, 1872, and the Commissioners then commenced to work them themselves.

799. How much did it cost the Commissioners to put the place in repair in 1872?—It cost the Commissioners for that year £209 14s. 4d., from September, 1872, to May, 1873, in repairing and working the gasworks; in 1872 there was a committee of the Commissioners appointed to examine the accounts with Ryan, and see how the matter stood.

800. When did the first lease for fourteen years expire?—In 1867; then there was a second lease for three years ending in 1870, and then a third lease also for three years, which would have ended in 1873. In 1867, on the expiration of the first lease, they were in bad repair, and he must have then expended something to put them in order or he could not have manufactured gas in the state they were in.

801. In 1870, when the first three years' lease had expired, what order were they in?—I could not tell.

802. At all events he ceased working them in 1872?—Yes; in September, 1872.

803. They were in very bad order then?—In very bad order.

804. Were any proceedings taken against Ryan to compel him to put them into repair?—No; the securities were never executed.

805. In 1872 the Commissioners commenced to work for themselves?—Yes; they employed a man named Anderson, to take charge of them and work them at a salary of £100 a year, and he continued to do so until about four months ago.

806. To whom have they given them now?—Mr. John Ryan, the old contractor.

807. The Commissioners are now managing the gasworks with Mr. John Ryan as their superintendent?—Yes.

808. Was Ryan ever allowed to receive a quantity of old iron from the gasworks?—I don't know; even if he did it was worth nothing.

809. Do you know whether old iron was removed, no matter whether it was worth anything or not?—No; the committee investigated Ryan's accounts and

settled that he was £80 18s. 3d. in their debt at the time he gave up the gasworks; and this sum he has consented to pay by £20 a year, upon the understanding he should have the management.

810. I think you told me that upon the first year's working, when the Commissioners took the gasworks into their own hands there was a surplus of £55 upon the year's working?—That was last year—it was £40.

811. Are you able to tell me what you have made this year?—Not until May next.

812. That £40 profit was after paying the salary of £100 a year to Mr. Anderson?—Yes, we advanced the price of gas during Ryan's time to 8s. 4d. from 6s. 3d.

813. Upon the last occasion I was here, when accounting for the expenditure of the £6,000, you mentioned £2000 odd had been paid in law costs?—Yes.

814. I think you are in error in that, for that would have left a deficiency in the accounting. You will recollect that in this document you told me that in trying to make up that £5,000, you put down £2,336 for the gasworks—that was in excess by £309 of what you had given me before, for you said the gasworks cost £1,927?—They had to give £40 to Ryan for the site for the gasworks, and £25 to Mr. John Norton for superintending the construction of the gasworks.

815. Do you say now that Mr. Colquhoun's account for the contract of the gasworks was about £2,200; for on the former occasion you were only about to make it £1,927. How much was paid to the contractor?—He must have been paid £5,200.

816. Do the books show that £40 was paid to Ryan in addition?—They do.

817. So far as I can see, you are not able to show me, by the books, or in any other way, into what bank, or to whom, or how the £5,000 was ever paid. I have long since asked you to search for this, but even now you cannot give it to me?—(No answer.)

818. You told me, accounting for the payment of £5,000, that £1,049 14s. 10d. out of the £5,000 was paid for law costs. I think you will find that this is an error too, as you will see by the letter I have in my hand from Mr. O'Henry. (Reads letter.) Witness.—There was £700 expended in improving the streets.

819. You exceeded what was allowed for law costs by £740 14s. 10d., and in your expenditure on the gasworks, you exceeded the scheme by £295?—(No answer.)

820. You were to have expended £1,000 on water supply, and you expended £338 8s. 7d. 1s.—We have expended more than that since.

821. You were to have expended £100 towards the formation of a lying-in hospital?—Yes.

822. Do you know if there was ever any account rendered to the Master in Chancery?—Never.

823. Was the £240 expended upon the Mechanics' Institute that was directed to be so laid out?—No.

824. Was the £1,500 given to the Cashel loan fund?—Yes.

825. Of the £5,000 set apart by the scheme, all that I can find upon the books as appearing to have been expended is £3,335 18s., leaving a balance of £1,664 1s. unaccounted for. Can you show me any more expended according to the scheme?—(No answer.)

Adjourned.

DECEMBER 30, 1876.

Dec. 30, 1876.

MR. HANLY RE-EXAMINED.

Mr. Hanly.

826. Did you ever see, or were you shown a copy of the rental when the Pennesfathers had it?—No.

827. It is stated that that document is among the Corporation papers?—I never saw it. I called upon the former clerk, Mr. Jordan, and upon Mr. Jordan, and he says he never heard anything about it.

828. It appears that in 1843, when the Pennesfathers' lease was set aside, what the Ryans had in

Labor's lot was let at £1 11s. 8d. an acre. Do you mean to tell me that you believe that 8s. 3d. an Irish acre, for which it was let in 1844, was anything like the letting value of that land?—I know it was easier to pay £1 11s. in those days than 18s. now.

829. Do you believe that 8s. 3d. an Irish acre was the fair letting value?—I don't believe anything at all about it.

GARRICK.
2nd 28, 1875.
Mr. Healy.

830. You may refuse to answer if you choose, for I have no power to compel you to do so; but I again ask you do you believe in your conscience that 8s. 2d. an acre was in 1843 the letting value of the land for which the Pennistons have been receiving £1 11s. 6d. an acre up to that date?—I refuse to answer.

831. Do you refuse to answer me also as to the letting value of it to-day?—Well, yes.

832. Where do you receive the rents of those lands?—In my own house—in the house in which I stop; my mother's.

833. As you tell me you are not the agent, I wish to know if the Commissioners have any bailiff or agent to attend to or look after about 4,000 acres of property?—They have not; and they have not 4,000 acres; they have only 3,270 Irish acres.

834. Have they no agent or person to look after that property, to see whether it is fenced or kept up—to see to its condition, or whether the land is being worked out or exhausted?—I am not aware that they have.

835. Then they have no person to look after the lands at all?—Not to my knowledge.

836. Do you even look after the lands?—No.

837. You receive the rents in the office in Cahel?—Yes.

838. Have you rent days?—Yes, two—the 25th of March and the 29th of September for half-yearly men, and for yearly tenants Christmas time.

839. That is three days in the year?—Yes; and besides I take it any time I can get it from them.

840. Have you a book-look of receipts?—Yes.

841. What is the largest amount that you have received on any one of these rent days?—£100 is the largest amount.

842. Though you received £1,300 a year?—Yes I cannot exactly state now, but the bank book will tell it. There was one day I lodged £200.

843. What are you paid for receiving the rents?—Five per cent.

844. And any other allowances?—No, except, I believe, 80s. for stationery.

845. I am in the audited account of 1875 the agent's fees amounted to £114 5s. 7d.—That was the fee on £2,235 13s. 2d., being the whole of what I received for rents, gas rents, the butter market, and everything to May, 1874, and £2 10s. for stationery.

846. You received £1,366 1s. 10d. rents to May, 1875?—Yes.

847. What arrears were in that?—£92 1s. 4d.

848. £441 13s. 2d. gas receipts and sale of coke?—Yes.

849. Butter market, £33 3s. 6d.?—Yes.

850. Who sells the coke?—I give tickets for the coke, and then they send down to the gasworks, and Mr. Ryan gives the coke and fills all the tickets I give. I receive the money, and he has the tickets used for the month, and I return the amount for the sale of the coke and the monthly account of gas.

851. I see you charge 1s. in the pound for receiving the money for the sale of manure?—Yes.

852. Is the manure sold by auction?—Yes.

853. The auctioneer receives his fees for selling the manure?—Yes.

854. And then you charge for receiving the money from him?—I receive the money, and I charge for lodging it in the bank. I generally take an account of each party who buys at the auction. Sometimes they don't pay for a month or so, and I keep an account of each sale, and when the auctioneer is paid I receive the money and lodge it in the bank.

855. Then there is a double charge upon that sale?—The auctioneer is paid by the men who buy at the auction.

856. Then you get 1s. in the pound for receiving that money from the auctioneer, and lodging it in the bank?—Yes; I keep an account of the receipts the same as any other receipts.

857. Did you, in the month of December last year, bring before the Town Commissioners the fact that the

leases of some of the property were about falling in?—Yes.

858. And did you ask their instructions about what was to be done with the re-letting?—Yes.

859. Was a resolution then passed in your presence that all lettings for the future were to be not less than Griffith's valuation?—Yes; there was a resolution passed, and an amendment afterwards passed.

860. Mr. EXHAM reads from the book as follows:—

"On the 18th of December, Mr. Healy gave notice:—That I will move at the next monthly meeting that in all cases of tenants the Commis- sioners who have taken them paying rent less than the Poor Law valuation they shall be offered lands at their holdings for thirty-one years, during from last July day, provided the rent in future is equal to that which would be the present Poor Law valuation, and in other cases that such lands be granted at the same rate paid." Mr. Healy then gave notice as the next day:—That I will move at the next monthly meeting that the said notice be added to all cases of lands on the Corporation property where the rent does not exceed 25s. per acre. On the 18th of January, 1875, moved by Mr. Healy, seconded by Dr. Laffan, and carried unanimously:—That in all cases of tenants on the Commis- sioners who have been taking less than the Poor Law valuation shall be offered lands at their holdings for thirty-one years, during from the last July day, provided the rent in future is to be paid by them shall equal the present Poor Law valuation, and in all other cases that such lands be granted at the same rate paid." On the same day Mr. Healy then gave notice:—That I will move at the next monthly meeting that the resolution passed the day respecting the terms in which lands be given to the tenants be amended. On the 21st of January I was ordered:—That the agent be directed to offer to the tenants lands of similar holdings in accordance with the terms of the resolution passed on the 18th ult., and reported on the next meeting whether they will accept lands on those terms." Dr. Laffan gave notice of motion at 7th of February, "That he will move at next monthly meeting that Commis- sioners lands which were granted on the terms of Cahel for the purpose of five tenants, being at present let at a considerably less than those charged by land of similar quality anywhere else, and less also than the Poor Law valuation, which is below the standard advanced by tenants right authorities as a just and reasonable rate for land; that it is therefore imperative that this Board, in order to carry into effect the resolution unanimously adopted by its own resolution of January 18th, and to discharge its trust and solemn obligations to the people of Cahel of all classes, to whom—both especially in the present—these matters belong, should put a stop to further waste and misappropriation of the property by letting it in future on a reasonable rent, that accordingly, subject to the principles of tenant-right as our chief guide, the Board direct that in future be all of those lands for which no lease is now in force, the rent at present payable shall be continued, if such be not less than the Poor Law valuation; but if less than such valuation, that then the rent shall be raised to a sum equal thereto; the increased rent to be charged from the next date, which, by law, shall be allowable; and that the agent do take immediate steps to carry these orders into effect." This was moved on the 20th March, and on amendment was then moved by Mr. Healy, seconded by Dr. Healy: "That as advance of ten per cent. per annum be put on all the second lands of the Commis- sioners which are now receiving out of lease, and other lands where no lease is existing, which was raised in Griffith's valuation." That was carried on a division, five votes to two, Mr. Laffan and Mr. Healy being the only two against it. Then Mr. Laffan handed in the following protest on behalf of himself and Mr. Healy:—

"Protest.—We, the undersigned, protest against the resolution passed last day with reference to the corporate lands. 1. Because the circumstances of the case remain exactly the same as they were when the resolution of the 18th January was adopted. 2. Because the resolution has been adopted by the vote of persons who are themselves corporate tenants, their heirs, or partners. 3. Because Griffith's valuation is universally accepted as not being higher than the value of land. 4. Because by charter the citizens are bound on occupying the land themselves. 5. Because the matter is, in the instance, by reference the alternative of an arbitration, thereby one free their land in a dispute, and so on. 6. Because the resolution being too high. 7. Because tenant-right and universally accept valuation as the only means of doing justice between landlord and tenant. 8. Because any rent less than Griffith's valuation is not a reasonable rent, and is therefore an illegal one for us to accept. 9. Because the tenants paid the Pennistons fairly a rent equal to that which it is now proposed to charge them, and declared in the Cahel Chronicle of March 6th their perfect satisfaction with such rents. 10. Because the lands in question belong to the people of Cahel, and we have no warranty to make a present of any portion of their value to any body, and we consequently have no warranty to undertake them. 11. Because, in our capacity as Commissioners, we are sworn trustees, and it is never been alleged that we have a right to make free with any portions of the property committed to their trust. 12. That while they belong to all classes of Cahel, the largest share in them belongs of necessity to the poor; and while the lands and alleys of Cahel are teeming with starving poor, it is unjust that any portion of the property which is theirs, should be made over at an underprice to any person or persons whatever. 13. That the Commis- sioners ought to be perfectly satisfied with having had the lands of the people of Cahel, for the last thirty-one years at a nominal rent, without now selling to private persons for another thirty-one years at a more fraudulent valuation than such nominal rent. 14. That the Commis- sioners of Cahel, the poor of Cahel, and all citizens in the town, could not fail to derive immense advantage from the increase of value which a settlement of the corporate estate, in accordance with equitable

principles, would bring to the city. 14. That we, despite our present office in this matter, reserve to ourselves all rights (except, as officers, by choice, as well as full right to draft certificates of the history previous made and provided, for the purpose of obtaining from the courts an equitable arrangement of the corporate debts, in conformity with the just claims of the citizens.

"Signed,

"THOMAS LUFFAM,
"DANIEL J. RUTLEDGE."

861. (To Mr. Healy.) Have you received since that resolution of February the 15th, the ten per cent. extra?—No; but I went to the solicitor of the Commissioners, and he said that the way it would be enforced would be by ejectment.

862. In the case of Mrs. Dolan's Charter-house school lands, was the ten per cent. enforced there?—It could not be enforced there, for the rent is over Griffith's valuation.

863. Was any notice served upon them after that?—None.

864. Did you serve notice of the resolution of the 18th of January?—Yes; we served copies of both the 18th of January and the 20th of March.

865. Now, taking the whole lands let as yearly tenancies (for that resolution embraces the entire of the lands,—not small bits here and there), is it your opinion that it would be unfair to let the entire lands at Griffith's valuation, under that resolution of January?—Well, my opinion is that, taking the whole of the property, Griffith's valuation would be in excess of the value—that being poor tillage land, except a few places around the town.

Mr. COREY re-examined.

Mr. Corey.

871. With regard to the expenditure on the gas works, have you anything to add to your former evidence?—I can only trace in the books £1,992, and £40 paid for the site to Ryan, and £52 paid to Mr. Norton for superintending their erection. I wish now to explain about the £6,000, that since yesterday I have found what purports to be a printed account of the receipts and expenditure of the borough of Castlet, from the 25th of March, 1844, to 1845, as received and expended by their then treasurer, the late Mr. Charles Doherty, and in that account he purports to charge himself with the receipt of £3,569, as a portion of the same rate. In the next year's account he also charges himself with £3,365 *l.* 9*s.* under the head of "proportion of same rates"; but I cannot find any separate account was ever kept by the treasurer of this £6,000 or how same was expended. It was mixed up with the other funds of the corporate property in his (Mr. Doherty's) books as treasurer, and therefore, I cannot tell how same was expended.

872. As far as you know, did anyone audit the books or examine the accounts of the late treasurer?—There did; I see from time to time that some of the Commissioners used to audit them.

873. Mr. Mullins (Chairman of Town Commissioners).—Mr. Doherty was treasurer up to 1848, when he left this country, and some time after he went away his accounts were examined and audited, and it was found there was a small deficiency in them, which was made good by his executors.

874. Mr. EXHAM (to Mr. Corey).—Were the Commissioners in the habit of subscribing to the *Monitor*?—Yes; from £40 to £50 a year in the commencement, but in later years £20 to £25, and it ceased altogether when the auditor was appointed.

875. I hear that the last year you subscribed you gave £75?—That was for three years for which the cheque was drawn but not used; the resolution was passed to subscribe, but the managers of the race never called for the subscription, and we then paid for three years all together. Mr. Pelly allowed it for that year, giving notice he would not allow it again.

876. I see that, as part of the scheme, £40 was to be applied to blankets for the poor?—Since 1856 that has been done; but before that for a few years it was not.

866. Was any suggestion made to you or to the Commissioners, to your knowledge, within the last three years to have the lands resumed, on the ground that they were too high?—None.

867. And though you thought they were valued too high, you never brought such a proposition before the Commissioners?—It was not my duty.

868. When the resolution of the 18th of January was passed unanimously, did you inform the Commissioners that, in your opinion, Griffith's valuation was too high?—I did not; I would not be listened to by the Board. I am not their agent; I only receive their rents. I didn't want to make a howling of myself before the Board.

869. You stated before to me you were the land agent to the Commissioners. Do you wish to qualify your last answer?—I am not their agent; the Board did not ask or consult me about it.

870. You told me the first day I was here that you were the land agent of the Commissioners, but you now say that you are not?—I say I am only the receiver of the rents of their property. There was a remark made here last night, by a person who tendered himself for examination, that my father paid £30 for the ground. I have to contradict that; £12 only was the sum paid. I said with regard to the other farms, that from £100 to £150 had been paid by my father for it. I was inaccurate in that, since that I have learned that the same land only cost £70, and in addition to that, there was a crop on the farm, and some other things, which went to nearly £70.

877. Between 1845 and 1857 was it given?—Some years I think it was, but not in all.

878. Mr. Mullins.—I know it was given since 1851. 879. £1,000 was to be expended on water out of the £6,000. When was the first attempt made to expend any money on water, as far as you know?—In 1852 they endeavoured to form a tank; the first money expended under the scheme was in 1843, and amounted to £138 *l.* 1*s.*; afterwards there was a tank constructed in 1853.

880. Who was the contractor for making the tank?—Mr. Fahy.

881. Were the works put up to competition?—There were advertisements in several newspapers, but only one tender from Mr. Fahy.

882. Did the contractor ever sign a contract?—No, he sent in a proposal, and it was accepted by the Commissioners.

883. Are there any specifications for the reservoir?—There are.

884. Was Mr. Fahy, the contractor, although his tender was accepted, asked to make or sign a written contract and give securities to carry it out?—No, he was not.

885. Though it was provided for in the specification?—Yes.

886. Was that gentleman clearly related to four of the Commissioners of that day?—He was to four of them.

887. Was he connected with the building trade?—Yes; he was an architect.

888. Is it a fact that that reservoir was wholly useless?—It was.

889. When did it become useless?—In two summers after it was finished. He was to have kept it in repair for six months, and it did not last for two years afterwards.

890. How did it become useless?—I believe that the plan the engineers prepared was not suited for the place at all; it should have been puddled. I believe the work was executed according to the plan and specifications; the name of the engineer was Mr. Malet.

891. Did he keep it in repair even for the six months?—No; he never repaired it at all.

892. What was he paid?—£197 *l.* 1*s.*; and a wall was built about it afterwards at a cost of £120.

CASEY.
Zet 30, 1879.
Mr. Healy.

GABRIEL,
Dec. 24, 1891.
Mr. Cady

893. Who built that wall?—Mr. Fahy had that constructed also.

894. How long after the reservoir was built was it put up?—Immediately after.

895. Was it as useless as the reservoir?—Yes.

896. What use is made of the reservoir now?—No use.

897. Does the reservoir convey any water to the town Hall?—No.

898. Is it made the receptacle of dead dogs and cats?—That is quite untrue; it is too far away to bring dead dogs and cats to.

899. Well, all I can tell you is, that I received two communications from Coadel, in which it was stated that if I went up there I would see plenty of dead dogs and cats in it?—Well, in point of fact they consulted Mr. Parks Neville, and he gave them specifications to carry out some day, so as to make the reservoir good.

900. When first did you find out the reservoir was leaking and not good?—After the pipes were laid.

901. How much did the laying of the pipes cost?—The total amount of the cost for pipes and reservoir was £529 2s 4d, including the wall. The £700 that I told you of was expended afterwards in the cast-iron pipes, under Mr. Neville's superintendence.

902. What was the amount of Mr. Fahy's tender for the piping?—£220 10s. 4d., including their laying.

903. Did he sign any contract or give any security for it, as required by the specification?—He did not.

904. Was he asked to do it?—No.

905. Is it a fact that all these pipes were laid and jointed together with common yellow clay?—I don't think it is; I am sure it is not the fact. The engineer would be a very strange man to give a certificate if that was the case.

906. Do you mean to say the specifications were carried out?—I can't say, because I don't know.

907. But here is the document purporting to be signed by Richard Malet, 4th of December, 1889?—I have reason to say I believe that is his signature to it.

908. Have you reason to know from anything that occurred since then that the specifications were not, in fact, carried out?—I cannot state from what cause it happened, but I know that the work turned out a perfect failure.

909. How was that?—I heard a rumour about the town that he used yellow clay, but I don't believe it.

910. Did Mr. Neville ever state so to you or to the Commissioners?—No. I recognise the certificate of Mr. Malet to be in his handwriting, certifying the works are executed in accordance with the contract.

911. Do you know from the Corporation books how much you give each year in charitable grants?—£350 a year, and £40 for blankets.

912. What authority had the Commissioners for giving anything to schools out of the funds of the Corporation?—They had authority to pay £200 according to the scheme; they gave £180 to the Archdeacon, and £20 to the Protestant Dean.

913. Did they give £180 for keeping up two National schools?—Yes; but the whole of that is not expended on the National schools.

914. Mr. Mullins.—The Commissioners hand the £180 to the manager of the male and female schools, and £20 to the Protestant dean, and they have nothing further to do with it. The Archdeacon is the manager of both schools; we do not interfere with the way he spends it. And, in addition to this, the Commissioners give £50 a year to the Christian Brothers' schools, in support of the resolution passed by themselves some years ago.

915. Mr. EXHAM (to Mr. Cady).—You had a sanitary inspector some time ago?—Yes; Samuel Corcoran, at £3 a year.

916. Is he sanitary inspector now?—His salary was nine shillings a week as street inspector, and six shillings as sanitary inspector.

917. When he ceased to be sanitary inspector was

the salary raised to fifteen shillings a week?—It was; he had £8 a year as sanitary inspector.

918. When deprived of the £8 a year, did he get an increase of salary?—Yes; his salary as street inspector was then increased from nine shillings to fifteen shillings.

919. He filled the two offices for nine shillings a week and £8 a year; and when he was deprived of one office he got an increase of six shillings a week to make up for the loss of the £8 a year?—Yes.

920. Is it a fact that in the centre of the town a kennel of hounds is kept?—Yes.

921. In one of the most populous parts of the town?—It is.

922. Who keeps this pack of hounds?—They are kept by subscription.

923. It has been represented to me, by several persons, that these hounds are an intolerable nuisance?—Yes; they are.

924. Is horse-droppings, for feeding them, in the place?—It is.

925. Have you had many complaints about it?—I never heard of any except from Mr. Kite.

926. Mr. Mullins.—The Town Commissioners took action in the matter, and referred it to the Board of Guardians. It is the Guardians who can deal with it, and the sanitary officer, Dr. Loftin, is here.

927. Mr. EXHAM (to Mr. Cady).—Does this day-inspector fill any other office under the Commissioners?—Yes; he has £5 a year for taking charge of the fire engine, and £8 a year for keeping the public pumps in order.

928. Had he always that?—Yes; and he gets £3 10s. a year for a suit of clothes.

929. Is the £8 a year for his salary included in the sum of £12 11s. 8d., charged in the account for 1876, for keeping the public pumps in repair?—Yes; that takes in his £8 a year.

930. Does he keep any of the public pumps locked?—When the water is scarce he does.

931. Have the people to go to him to get the pumps opened when they want water?—They have.

932. Mr. Mullins.—In the summer months some of the pumps run dry, and, by order of the Commissioners, he locks one of them, in order that the people may work the others until the water gets into the one that is locked.

933. Mr. EXHAM (to Mr. Cady).—Is he not also night watchman?—He is; he goes to bed at five o'clock in the morning.

934. Who is it that has charge of the keys of the pumps in the day-time?—His father.

935. What does this man get altogether?—About £52 a year, and £3 10s. for a suit of clothes.

936. Has his father anything?—His father has £18 a year, and is street inspector also.

937. Then the father is street inspector at £18; and the son night watchman, also inspector of streets, repeller of pumps, and caretaker of the fire engine?—Yes.

938. Is he the only night watchman in the town?—Yes.

939. Have you a house surveyor here?—Yes; we have a surveyor of ruined and dilapidated houses.

940. Who is he?—Mr. Fahy; the same man who constructed the water tank; he resides in Dublin, and he comes down once a month.

941. Did he report Corcoran at any time?—He did not.

942. Were complaints ever made against Corcoran?—There was one man complained of his having struck him; that is fourteen years ago.

943. Was he ever dismissed?—I believe the chairman suspended him for a week before the meeting came on.

944. Mr. Mullins.—There was something occurred in the better weigh-house, and some persons complained of Corcoran's conduct to me; and as we were to have a meeting of the Commissioners on the Monday following, I told Corcoran I suspended him

from Wednesday till Monday, until the case was investigated at the meeting of the Commissioners, and the matter was afterwards arranged.

945. Mr. EXHAM.—I am told in one of the statements sent to me, that there is a great cause of complaint, that the keys are given to the Commissioners' servants by him to get water, while the other people are not allowed to get it.

Mr. MOLLIN.—There never was a complaint of that kind sent before the Commissioners that I am aware of; and if there was, it would receive attention.

946. Mr. EXHAM.—I am also informed that Corbett got compensation for some injury that was done to some potatoes of his.

Mr. MOLLIN.—I recollect that his potatoes were injured; but I don't recollect that he received any money.

947. Mr. EXHAM.—Do you know of any compensation having been given to any pig jobbers?

Mr. MOLLIN.—Yes; the Commissioners made an effort to establish a pig market and the pig jobbers stated, that they sustained a loss by bringing the pigs here, and the Commissioners compensated them, in order to induce them to come again. The whole sum did not amount to £12. That was before Mr. Pelly's time. It was about seven years ago.

948. Mr. EXHAM.—Can you say it was not more than £12?

Mr. MOLLIN.—I can.

949. Mr. EXHAM (to Mr. Corby).—Mr. Corby, have you found any rental of these common lands in Pennefather's time?—No; except the lost leases.

950. I mean of the lands that were in yearly tenancy?—No.

951. As far as you know, the Corporation took no steps to get a rental in the Pennefather's time?—I am not sure.

952. Do you recollect a resolution being come to in the year 1857 by the Commissioners, that Griffith's valuation should be made the basis of all the lettings?—No; that had reference to only one tenant. He held on a lease, and the Commissioners passed a resolution agreeing to give him a lease at Griffith's valuation, and that only applied to the one tenant.

953. Did they give him a lease?—No; he would not take it.

954. Was the question of settling the rents of the tenants on that property brought before the Commissioners in the year 1860 or 1861, by the Honorable Mr. French?—It was.

955. Could you show me the resolution of that day, and the particulars of Mr. French's motion?

Minute book was handed to Mr. EXHAM, from which he read as follows:—

"On the 7th of May, 1860, the Hon. Martin J. French, gave notice he would move at the next monthly meeting, 'That a competent person be appointed to value the unleased portion of the Corporation lands, and that he shall receive instructions to the effect, that the Commissioners only require that a reasonable valuation shall be made; and in the event of the valuation exceeding the present rent, each tenant shall be at liberty to show cause, if any, why that rent shall not be raised.'

On the 4th of June, 1860, it was ordered:—

"That the agent, Mr. Conran, be directed to have a notice to quit served upon Richard Stapleton, for having entered into possession of Judith Ryan's land without the liberty of the Commissioners, and for not satisfying the tenant for the just and reasonable value which she had on the land."

I find on the same day, Mr. French gave notice that he would move at the next monthly meeting:—

"That the resolution of February, 1860, be rescinded, which granted a right to all tenants of the Corporation to obtain leases at a valuation which had been then made, and that a competent person be appointed to ascertain the present letting value of each

leased portion of the Corporation lands, and also the particular, nature, ground rent, and existing value of such tenants' own unauthorised improvements; that upon obtaining such valuations, leases for thirty-one years shall be offered at such a reasonable rent as shall appear fair and equitable towards the several tenants."

He does not appear to have brought that forward, for the next motion is the 2nd of July, 1860:—

"The Hon. M. J. French, chairman. Proposed by Mr. Murphy, seconded by Mr. Corby, 'I beg the resolution passed and entered on the minutes of the 20th of February, 1860, be rescinded, whereby it was agreed to grant leases to all the Corporation tenants at the then valuations.' A amendment was moved by Mr. O'Leary, seconded by Mr. French Phillips: 'That we don't consider it expedient to alter the arrangement entered into between the Commissioners and their tenants.' On a division there were five for the resolution, and three for the amendment, but amongst as there were only twelve members present, five of whom did not vote, and as two-thirds of the quorum—any eight—would be required to rescind a resolution passed at a former meeting, the chairman declared the resolution not carried, in compliance with the provision of the 66th section of the Commissioners' Act of 1847 (19 Vict. c. 16)."

956. Were you also present at a meeting that took place on the 20th of March last, where a resolution was adopted, advancing the rents ten per cent.?—Yes.

957. I have already asked you to make search to try if you could find in the books of the Commissioners, or among their papers, any resolution to appoint valuers to value Pennefather's lands; have you been able to find any?—No, the only thing I can find is the resolution in February, 1864.

958. Have you been able to find any trace of any valuation made by anyone?—No.

959. Have you been able to find among the accounts of Mr. O'Heary, who was paid his bills of costs, anything in relation to such valuation, or to any case laid by him before any court in relation to the relating of these lands?—No; I never saw his bills of costs.

960. I suppose the bills of costs are among the papers?—I never met them.

961. Have you been able to find among the papers any case or any opinion of the late Baron Greene, or any barrister, relating to any valuation or letting of Pennefather's lands?—No.

962. Were you present at the meeting of the 30th of March last?—Yes.

963. Did you hear one of the Town Commissioners at that meeting state publicly before his brother Commissioners to the effect that he was authorized by the then law agent of the Corporation to state that the then Commissioners declared they did not approve of the valuation?—I think he said that it had not their approbation.

964. I will give you his words: the gentleman said this:—"That he was authorized by the law agent of the Corporation to state that the Commissioners' valuator exceeded his instructions, a result which the then Commissioners declared had they foreseen, they would sooner have put their hands into the fire than have consented to."—Yes, he stated that.

965. The then law agent was Mr. O'Heary?—Yes.

966. I am told that Mr. O'Heary is unfortunately not able to be here?—He is not.

967. Dr. Lifford (one of the Town Commissioners).—I had a conversation with Mr. O'Heary. At that time he was living in Dublin, and he said that the valuator's gave dissatisfaction at the time to the Commissioners.

968. Do the Commissioners here give any pensions?—Not that I am aware of.

969. Are there any pensions given out of the loan fund?—I don't know; the loan fund has nothing to do with the Commissioners; it is quite an independent body under the control of the Central Loan Fund Board in Dublin.

Mr. JOHN RYAN examined.

970. You are now the manager of the gasworks?—Yes.

971. You wish to make a statement?—I do, as to what was said against me here yesterday.

972. Mr. EXHAM.—All that was stated against you was this—that, after the gasworks were erected now, you got them under the condition that you were to enter into the contract for fourteen years; that you were to pay no rent for them, but to keep them in

perfect order and repair, and supply the gas to the citizens and public lamps at so much; that you were to give security, and that you never did enter into any written contract of the kind or give security.

973. Witness (reading in document, which was a statement as to the condition of the works, &c.).—Will you kindly read that? The works were not new when I got them. They were worked from 1840 by

General
Dec 10, 1876.
Mr. Corby.

Mr. John
Ryan.

Comes.
Dec. 18, 1871
Mr. John
Byrne.

the Commissioners until I got them in 1853. I have no recollection of a tender made by me. There was a tender of some kind by which I was to supply the public and the public lamps at the prices already named, but the contract was never completed.

974. It was stated that at the end of the fourteen years they were in bad order, and that you then made a new tender for three years, which the Commissioners gave you on the distinct promise that you were to sign a contract to put them in good order and repair and keep them in such a—*Witness* (handing in tender of 1870).—That is the tender that was accepted, but I was not required to execute any contract.

975. Mr. Corry.—It might be only a verbal promise made by this gentleman.

976. Mr. KIRKMAN reads:—"Tender of the 6th of May, 1870.—As regards the expenditure it will be necessary for me to make on the works, it is impossible for me just now to fix the amount; but the Commissioners may rely that everything will be done by me with the greatest economy, at the same time doing it perfectly. And what I propose to do is to keep a correct account of such expenses and keep the same, and have an inspection of the execution of the necessary works." You were to do all these things at your own expense?—Yes.

977. Did you enter into the contract with sanction to do that?—I was never asked to do it; I tendered for it.

978.—It is alleged that you never did put them in order?—Oh, yes, I put them into order.

979. Mr. Corry alleges that when the year 1870 came round the works were then in bad order?—They were not in very good order, but they were not out of order, for they were never a slight without gas.

980. But they were worked out in 1872 when you gave them up?—They required a very large expenditure then.

981. Show me any account of what you expended between 1867 and 1870 in putting the works in order and repair which was examined by the Commissioners at the time?—It was audited by Mr. Mullins and Mr. Scully this year.

982. But I am speaking about what occurred in 1867. Show me what money you expended in getting the place into repair in 1867. Is Mr. Corry right in saying that in 1870 the works were still in bad repair, and that you made a fresh tender, and you made a promise then to put them in repair?—There is my tender, which you already read.

983. Did you not procure the commissioners to put them in repair?—I never signed a document; I never was asked to put them in repair. No doubt they required an expenditure, and I had to pay my expenses too. It was stated here last night that I sold metals belonging to the Commissioners. I deny that I ever sold a metal, brick, or piece of iron belonging to them. I did sell some, but it was my own.

Mr. Patrick
Curran.

Mr. PATRICK CURRAN recalled.

984. It was stated that I got compensation for a crop of potatoes from the Town Commissioners. I deny that, and say it is utterly false.

985. Mr. KIRKMAN.—I am told that when you were sanitary inspector you were very fond of having pigs in your own house?—That is not the fact; the chairman is there, and he examined my place. I have kept a few pigs and do keep them. I have to tell you I have a great many friends in town, because I do my duty.

986. Had you ever any pigs in the house?—Yes, I had. I will tell you how that occurred. Once on a time there was a row after half forenoon, and I brought her into the hall and had her there.

987. They say you keep some of the pumps locked and won't give water to the people?—I will tell you

how that is. When a pump becomes exhausted, I take the chain off it, and put it on a pump not exhausted.

988. They say if the Commissioners' servants want water you will give them any quantity of it, but if a poor person wants it they can't get it?—The opinion of everyone is that since I got charge of the pumps there is a better supply of water, and the pumps are kept in better repair. I mind the turning of the cocks. I have them since 1853. During the entire of that time they never required any repair. I mended the new iron pipes.

989. Then what are you paid the £8 a year for?—For repairing them.

990. But you say they don't require repair?—I look after them.

Dr. Thomas
Laffan.

Dr. THOMAS LAFFAN examined.

991. What office do you hold?—I am the consulting sanitary officer, and my duty is only to give advice when I am asked; and, secondly, as regards any interference with the other sanitary officers, according to the letter I received from the Local Government Board, I am not bound to call their attention to anything that is neglected by them, although I may do so if I please. With regard to the dog-kennel, I say it is a nuisance, but I have never been asked my opinion about it; the arrangement with regard to the regulation of my duties is, I consider, a very bad one, inasmuch as there are very many occasions when my advice would be valuable, which the whole of the Board is unable to see from the want of asking for it; for instance, in a little town within my district, there is a locality where we have fever prevailing the entire year, and from which 160 cases of fever have been sent to the hospital alone; I have not the least doubt if proper steps had been taken at an early period it could have been stamped out. With regard to the sanitary arrangements of Cashel, I consider they are not as good as when the Commissioners managed them; the Commissioners were more attentive, better acquainted with the circumstances of the town, and more sure to attend to those sanitary duties than the Guardians; for that reason I think it is a loss that the town has been placed under the Board of Guardians as a sanitary authority; but I wish at the same time to state that I do not think it would be any advantage that a separate staff should be appointed in the event of the town being separated, as I think the one staff for both would be enough. The Sanitary Act has worked here very much as it has done everywhere else—indifferently, and for a variety of reasons; the officers are too numerous, they are inadequately paid,

and more important than all, their professional interests and their sanitary duties are in entire contradiction. With regard to the special sanitary condition—I mean the sewerage—of the town, there has been for a number of years, near the end of the town, a deep cesspool or pond for the purpose of containing all the solid matter which flows into it from the town for a year or two. It is cleared out sometimes, but an immense quantity of solid matter is always there; this is materially injurious to the health of the persons in the immediate proximity of the place. The outlet is so obstructed as to retain all the detritus, and the sewage of the town, and to let the excessive fluid escape, the contraction of this into which the main sewer of the town leads is injurious to the general health of the place. Within the last two years there have been nine cases of fever from the immediate margin of this pool; there was one death in a private mansion, and several cases to my own knowledge in many of the houses about; I called on the local sanitary officer to report the sewer-drain, and to have the cavity filled up; the local sanitary officer said the place should be filled up, and the sewer continued on to the river Suir; my recollection is a positive and distinct one.

992. You stated at a meeting here sometime since that Mr. O'Henny, the solicitor for the Commissioners had given you some information as to the so-called valuation of the lands comprised in Pennefather's lease in 1843?—I did.

993. Is the statement that I read the substance of what Mr. O'Henny stated to you as to that?—It is.

994. How long have you been in Cashel?—Five or six years.

995. Have you ever seen that valuation?—No; but it is long a tradition that there was a valuation.

Mr. JOHN RYAN examined.

996. You have a lot of land that was held by Patrick Ryan, and your rent is £16 18s. 9½d. You hold 47a. 2s. 29s. Irish?—Yes.

997. The rent is £17 2s. 8d. according to the lease which was made on the 7th October, 1841?—I don't know what is in the lease, but £16 18s. 9½d. is the rent that I pay.

998. What is the Poor Law valuation of it?—£30.

999. Could you tell me when that Poor Law valuation was made?—I could not say; but I applied several times to the revisor to take something of the valuation. He told me he had no power to do it but that he had power to re-value it if there were buildings on it and to increase the valuation.

1000. Your report of Laker's lot?—Yes. As compared with what is called "Owen and Bigger" lot, what is the value of it?—There is a great difference in value.

1001. Your own opinion of your lot is that it is too dear?—No; it is let at the value; we can live and let live.

1002. Do you know those other lots—Owen and Bigger?—Yes.

1003. What do you say is the value of those lands?—Some of the tenants there have land worth £1 an acre, and others 30s. an acre.

1004. What are they worth, one acre with another?—£1 an acre.

1005. What would you say Laker's lot is worth all round?—It was worth about the rent we are paying; not more. I would put it down at 7s. an acre.

1006. Do you know what the Commissioners are getting?—I suppose they are getting 7s.; I am paying 7s. 2s. an acre. Speaking on behalf of myself and the other tenants, I say the rents we are paying are fair rents and no more. The following lease was produced by Mr. Corby. A lease from Richard Price (which

was a lease of part of Pennesfather's), to Michael Curlew, dated 23rd January, 1837, of 37 acres of the compass of Chisel, part of Laker's lot, at a rent of £42 12s. 9d. a year, for twenty-one years from 20th September, 1836.

1007. Mr. EXHAM.—Is that the land that was let to Mr. Michael Curlew, in 1843, at 2s. 2s. an acre?

1008. Mr. Corby.—Yes.

1009. (a.) Lease of 22nd of January, 1832, made to Daniel Ryan by William Pennesfather, for 13s. an acre [Daniel Ryan was the grandfather of John Ryan, who held 37 acres, part of 40 acres].

(b.) William Pennesfather to Darby Kennedy, 2nd January, 1832, for sixty-one years, of sixty-five acres, at 10s. and 14s. an acre—Attikit lot.

(c.) Lease of the land that was purchased by Mrs. Dolan, made in 1832 by Wm Pennesfather at 13s. an acre, Owen and Bigger's lot. A lease by Wm Pennesfather to John Ryan, in the year 1834, for sixty-one years, of four and a half acres, at £3 2s. 9½d. an acre.

(d.) Attikit lot. Lease 31st September, 1832, to the Keatings of 57a. 3s. 16s., yearly rent, £37 11s. 11½d.

(e.) Lease to Michael Mearns, Attikit lot, 10th of June, 1832; 33a. 1s. 1r., £15 2s. 4d.

(f.) Lease to William Neville, of 9th of June, 1832, Attikit, thirty-one acres, £20 6s. 4d.

(g.) Lease to Redmond Keatings, Attikit lot, 2nd June, 1832; 33a. 0s. 10s., £18 9s. 5d.

1010. Dr. Laffan gave the following as the new rents he had proposed to the Commissioners to be put on the following holdings:—Michael Curlew, John Curlew, and Denis Curlew, present rents, 8s. 2s. the Irish acre; Pennesfather's do. 21 11s. 6d., proposed new rent 15s.; Hogan, present rent 3s. 5½d., Pennesfather's do. 13s.; proposed do. 12s. 11d.

Mr. WILLIAM MURPHY, J.P., examined.

1011. Mr. EXHAM.—What evidence do you wish to give?—I wish to contradict the statement of Dr. Laffan with regard to the disagreeable character of the place to which he has referred. It is my property; and I say there is not any nuisance upon it. The pool is in a field of the public road, and it has been in the same condition for several years; it is a place where the water flows in and out, and there is very little

solid stuff in it, and what there is in it is decomposed by throwing turf mould into it and by cleaning it out occasionally. Captain Hamilton, the Poor Law inspector, stated to me that he saw nothing offensive in it. There is no doubt there were cases of fever in the houses which were crowded up; they always had a slight fever there in the summer time.

Dr. LAFFAN recalled.

1012. Mr. EXHAM.—I wish to have on the notes the statement in detail that you made at the meeting on the 30th March. You are reported to have stated as follows (speaking with reference to what was said by some of the tenants at a meeting held shortly before):—

"I cordially concur in their statement that the Pennesfather was the best of landlords, but when they made that statement they only meant that you have in your hands every document connected with the Pennesfather's holdings. I have made complete extracts from these extracts. I challenge you to test their correctness by an abstract for yourself. I stated as a former occasion that the lands were in 1845 at several rents. I told you that the valuation received for the land was not to be particular. I was to-day surprised by the report of the Corporation to state that the Commissioners' valuation having exceeded his instructions, a reduction was the result, which the Poor Law Commissioners declined, had they known, they would never have put their hands into the fire thus unassisted. Better say, however, than the statement of any gentleman, however honorable and respectable, is the evidence of figures and documents. I now tabulate some of these figures to you."

Tenant's Name.	Present or nominal rent.	Pennesfather's rent.	Proposed rent.
M. Curlew.	8 2	1 11 6	15 0
J. Curlew.	8 2	1 11 6	15 0
D. Curlew.	8 2	1 11 6	15 0
Hogan.	3 5½	0 15 0	22 11

It will be seen by these figures which I give you as a sample that we do not propose to charge the tenants more than half the rent is now assessed, which those miserably poor landlords laid on to the great gratitude of even the second generation of their quondam tenants."

Did you make that statement?—I did.

1013. Were the matters so stated by you true in fact?—They were.

1014. Did you search through the documents of the Corporation and ascertain that the statement you made as to the rents of the Curlews and Hogan were accurate?—I did.

1015. Were they a sample of the rest of the cases of the tenants and the rents they paid?—They were.

1016. Did you propose the resolution of the 20th March which I have read out, and was it seconded by Mr. Scully?—Yes. (For resolution see question 540.)

1017. Was there an amendment proposed by Mr. Hackett which I read out?—There was. (For amendment see question 550.)

1018. Was the amendment carried?—Yes, by seven votes to two.

1019. Did you hand in the protest I have read?—Yes. (For protest see question 560.)

Since the closing of the inquiry Mr. Corby (Town Clerk) has forwarded copies of resolutions with respect to the appointment of valuers of the Corporation lands in 1843 and the subsequent letting thereof, and which are set out in the Report, also copies of resolutions, passed on the 7th May, 1850, and the 4th June, 1850, which are set out in the Appendix 18, page 393; also copies of agent's circulars sent to tenants, dated respectively the 22nd February and 26th April, 1876, set forth in Appendix 19, page 395.

APPENDIX—PART III

APPENDIX No. 1.

PORTADOWN

Town Improvement Act, 1854. Number of Commissioners, 15. Population, 6,735. Debt, £720. Acreage, within the Municipal Area, 667a. Rateable Value of Property, £15,178. Improvement Rate, 1s. in the pound: Sewerage Rate, 3d.

TOWN COMMISSIONERS

Towed Caisson
classroom.

Name and Profession.	Rating.
	<i>A</i> <i>B</i> <i>C</i> <i>d</i>
William John Paul, Merchant and Woollen Draper, . . .	118 15 0
Arthur Douglas, Blacksmith, . . .	55 0 0
James Douglas, Blacksmith, . . .	74 0 0
Thomas Smith, Gun (C), Linen Manufacture, . . .	156 17 6
David Wood, Waugh, . . .	32 0 0
James Johnston, Merchant, . . .	45 0 0
William Hall, Hand Proprietor, . . .	94 10 0
John Norman, Merchant, . . .	94 0 0

Name and Profession.	Rating.
	L. A. J.
Anthony Cuddy, Linn Manufacturer,	90 0 0
Thomas Corbitt, Soldier,	37 0 0
John Cooke, Petty Revenue Clerk,	14 0 0
William John Gay, Accountant,	32 0 0
Hugh Wallace, Merchant,	70 0 0
William John Loebe, Coach Builder,	43 0 0
John Perkins, Merchant,	33 0 0

Abstract of Discussion

ABSTRACT of the ACCOUNTS of the TOWN COMMISSIONERS of PORTADOWN for the Year ended the 13th May, 1878, showing the Receipts and Expenditure under the several heads during that period.

Experiments

	£	s	d	£	s	d
To Uncollected Rates, May 13, 1875,	497	7	1			
Rate made March, 1875,	620	10	1			
Central Savings District Rate,	6	4	5			
Private Assessment,	9	6	0			
	1,139	14	1			
Amount collected and lodged	544	12	5	544	12	5
	614	2	6			
Rates of 1875 remitted on account of Uncollected Premises,	14	0	11			
	600	0	5			
Fees,				18	0	0
Inspector's Castings License,				7	3	0
Town Hall, Assembly Room, and Public Office,				30	10	0
Shambles,				12	6	3
Ovens,				40	8	6
Alphabetical Lists sold,				0	8	0
County Contracts,				555	0	0
Cleaning,				25	12	10
Footpaths, &c.—Received for Old Oak Stanes,				0	6	0
Salaries—Received from Local Government Board, out of Parliamentary Grant, for Sanitary pur- poses,				6	13	7
James Hall (advances),				20	0	0
Mrs. Oakes for Building Lamp,				0	10	0
Before Park—Loss on Ten 420 Deborahs to purchase Blue Ensign,				500	0	0
Amount received from the Registrar of Births for the year 1875,				14	11	11
Balance due by Treasurer,				535	26	5

Executive Summary

	£	s	d	£	s	d
Law Costs,					5	11 6
Two Half, Insurance,			2	0	0	
Esq. E. Gilbert, Interest,			13	18	0	
Rent,			1	4	5	
T. A. Shillington & Son,			2	10	0	
Robert Haines,			1	10	6	
Taxes,			5	15	11	
Gas,			10	13	11	
Hugh Wallace,			0	8	8	
Advances by Clerk,			5	10	0	
Balance, Deposits,			16	17	5	
E. E. Horden, Interest,			13	17	8	
T. A. Shillington & Son,			1	5	6	
Insurance,			0	6	3	
Rent,			11	29	0	
Gas account,			1	13	1	
Clerk's Advances,			1	1	30	
Taxes,			4	16	6	
Grass—Herd and Tann,			1	11	14	
New Works, Repairs, &c.,			4	3	11	
Advertising, Printing, Stationery, &c.,						7 15 0
Tram for Sam Russell,			21	5	0	
John Kerran & Son,			4	3	3	
Hugh Wallace,			1	4	0	
D. W. Wagh,			2	11	0	
Clerk, Advances,			4	14	1	
Lighting, Gas Co. for the year 1876-7,			222	15	0	55 17 3
Driver Robert Lampy Wilson,			5	4	30	
Clerk, Advances,			1	12	0	
Interest to J. Gilbert on Sewerage Loan,			4	19	2	210 11 10
" Bolton Bank on Fire Engine Loan,			5	0	0	
Income Tax,			8	5	5	
Expenses (including 487 10s. for New Map of Sewers of Town),						13 4 10
County Cessnote,				69	0	6
Gloucester,				414	18	7
Gloucester,				152	14	11
Eastern Sewerage District,				0	13	5
Central Sewerage District,				8	14	13
Five Engines (Gloucester),				0	18	6
Repairs to Stroon, Footpaths, Channels, &c.,				103	2	10
Pumps,				45	5	8
Salerno,				165	8	0
R. McClintock, to meet Advances,				90	5	0
Balance due by Treasurer,				52	16	7
" by James Hall,				7	0	0
£1,022 0 0						£1,022 0 0

APPENDIX No. 2

App. No. 11

Then fall.

DUNDALK

Town Improvement Act, 1834. Population, 11,377. Rateable Value of Property, £19,801

TOWNS COMMISSIONERS, appointed under Towns Improvement Act.

TOWNS COMMITTEE
SECRET.

Name and Occupation.	Rateable Value.	Name and Occupation.	Rateable Value.
Middle Ward.		North Ward.	
Edward H. MacArthur, J.P., <i>Chairman</i> , Brewer, . . .	142 10	Michael Hardill, Spirit Grocer, . . .	18 0
Patrick Hennessey, Spirit Grocer, . . .	20 10	Edward Carlin, Newspaper Proprietor, . . .	18 0
Nicholas Byrne, <i>Do.</i> , . . .	37 10	North Ward.	
Peter Collins, Woolendrapier, . . .	48 0	Peter Callan, Spirit Grocer, . . .	25 0
James O'Hare, Ironmonger, . . .	34 0	Terence Hughes, Grocer and Spirit Dealer, . . .	26 0
South Ward.		James E. Delorty, <i>Do.</i> , . . .	43 10
Joseph Farrell, Ship Owner, . . .	58 0	South Ward.	
James Carroll, General Grocer, . . .	77 10	Peter McMahon, Grocer and Spirit Dealer, . . .	54 0
John Huxley, Fuel Dealer, . . .	23 10	John Ward, Leather Merchant, . . .	20 0
James Oakes, Coal and Salt Merchant, . . .	133 0	James Marquis, Zoo Proprietor, . . .	

Duraklik, 19th June, 1877.

EDWARD FERRAR, Town Clerk.

GENERAL BALANCE SHEET of the DENBIGH TOWN COMMISSIONERS for the year ending June, 1876.

Abstract of Discussion

ORDINARY TOWN ACCOUNT.

RECEIPTS.		EXPENDITURE.	
Balance in favour of Commissioners from year ending June, 1855.	364 6 8	Amount paid during the Year—	
Amount received during the year—		General Repairs, .	£154 2 0
For Rates—		Cleaning and Watering, .	28 4 2
General, at 1s per pound, .	£807 17 1	Lighting, .	576 10 5
Library, at 1d. do. .	68 16 6	Salaries, .	343 1 2
Mortgages for Redemptioe		Election Expenses, .	15 17 7
Buildings Loan, at 2d. per pound, .	£1,117 2 0	Printing and Stationery, .	39 0 3
	3 9 4	Incidentals, .	37 1 10
On Account of previous collection, Allowance in lieu of Rates on Government Property, .	69 9 4	Sanitary Expenses, .	49 11 1
Government allowance towards Sanitary Expenses, .	13 14 6	Pump Expenses, .	12 10 0
For Licenses—			1,158 16 9
For Carns, .	£116 9 8	Mortgage Rate, as follows—	
Drivers, .	3 2 8	Amount Collected, .	293 2 6
Slaughter Houses, .	2 5 0	Government allowance in lieu of Rate, .	12 6 6
Lodging Houses, .	1 3 0		305 8 9
Dog Licenses, .	39 18 9	Free Library Committee—	
	82 11 9	Amount Collected and allowance due them, .	74 7 7
For Fines—			1,433 9 1
In Borough Court, .	£116 19 3	Balance in favour of Commissioners, .	343 1 6
In Petty Sessions Court, .	16 3 3		
	27 2 6		
For Incidentals—			
Harbour Board, Lighting Quay Lamps, .	£56 0 0		
Bank Interest, .	4 12 6		
Stores sold, .	2 6 4		
	43 18 10		
	£1,586 0 9		
	£1,586 10 1		

Assets

Amount per last account,	248 6 4	
Notes for year to June, 1934,	1,190 8 4	
	2,235 14 8	
Deduct amount collected on above,	1,490 12 4	116 2 7
Harbor Commissioners—Lighting Gas Lamps for one year to 17th May, 1935,		36 0 0
		4 2 3

352 LOCAL GOVERNMENT AND TAXATION INQUIRY COMMISSION (IRELAND),

Acc. No. 2.

Dublin.
Abstract of
Accounts.

EXCHANGE BUILDINGS ACCOUNT.

RECEIPTS.		DISBURSEMENTS.	
Balance is drawn of Trustees from year ending		Amount of Debentures, Nos. 30 & 31,	
June, 1875,	150 0 0	paid 21th March, 1876,	360 0 0
Amount of Mortgage Bank Trust		Interest on Debentures,	110 0 0
Town Account,	£335 2 9	Newrooms,	34 12 6
Rents—1 year, to May, 1876,	361 10 0	Gas,	28 18 11
Great Hall and Mice Hall,	51 13 0	Cool,	15 0 0
Corn Stands,	18 15 0	Repairs and Incidentals,	23 8 11
Newrooms,	512 12 1	Taxes,	30 1 7
	567 12 10	Insurance,	10 0 0
		Secretary,	22 4 6
		Housekeeper,	40 0 0
		Balance is drawn of Trustees,	548 13 4
	£718 13 8		178 12 11
			£718 12 5
LIABILITIES.		ASSETS.	
Balance of Debt secured by Town Debentures—		Above Balance is Bank,	
John Neill, 10 Debentures,	£1,000		£178 12 11
T. Connick and others, 4 Debentures,	400		
Henry Fortson, 4 Debentures,	400		
	£2,800		

EDWARD H. MACARDER, Chairman.
EDWARD FERRAR, Town Clerk.

Acc. No. 3.

Ardee.

APPENDIX No. 3.

ARDEE.

Town Improvement (Ireland) Act, 1854. Number of Commissioners, 9. Number of Burgesses, 144. Population in 1871, 3,072. Acreage within Municipal Boundary, 1,186a. 2n. 38n. Rateable value—Houses, £2,265; Land, £1,673. Borough Rate of 1s. in the pound.

Town Commis-
sioners.

TOWN COMMISSIONERS.

Name.	Occupation.	Name.	Occupation.
1. Anthony Smith, Chairman,	Apothecary.	3. Michael Halperny,	Millin.
2. Peter Hickey,	Hotel Keeper and Wine Merchant.	4. Andrew Byrne,	Baker.
3. Thomas Dolan,	General Merchant.	5. Patrick Mackey,	Bank Manager.
4. James Halperny,	Farmer.	6. Patrick Collins,	McDonald Dealer.
		7. Peter Halperny,	Draper.

Abstract of
Accounts.

ABSTRACT OF THE ACCOUNTS OF THE TOWN COMMISSIONERS OF ARDEE for the year ended the 30th April, 1876, showing the Receipts and Expenditure under the several heads during that period.

RECEIPTS.		EXPENDITURE.	
Nature of Receipt.	Amount.	Nature of Expenditure.	Amount.
To Rents,	£ 152 2 32	By Balance due to Treasurer at commencement of the year,	£ 51 17 9
" Fees,	78 8 0	" Salaries—	
" Dog Tax,	5 2 1	Town Clerk,	£12 0 0
" Petty Sessions Fines for Drunkenness,	14 4 9	Chairman of Shamrock,	2 0 0
			£12 0 0
		" Collector's Pensions,	4 8 4
		" Lighting—Pool Gas Company,	53 0 0
		" Rates—	
		Market House,	£8 8 8
		Shamrock,	8 14 0
		Groceries of Revenue	
		Smith's Schools,	25 9 1
		Quil Bank,	1 5 11
			£46 1 4
		" Taxes—	
		Four Rate,	£2 0 8
		County Gen.,	1 1 5
		Income Tax,	0 1 9
			2 8 3
		" New Office Cart,	15 12 11
		" Town Clock,	5 12 0
		" Printing and Stationery,	9 10 1
		" Preparation of Rate Book,	3 0 0
		" Cost of Audit,	5 5 0
		" Interest charged by Treasurer,	5 5 0
		" Miscellaneous Expenses,	2 10 8
		Total Expenditure,	167 5 5
		Balance in hands of Treasurer at close of the year,	949 1 9
			£ 5 3 11
Total Receipts,	£ 250 5 1		£250 5 1

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Town Commissioners of Ardee for the year ended the 30th April, 1876.
Dated this 22nd day of August, 1876.

THOS. COLLINS, Auditor.

APPENDIX No. 4.

App. No. 4.

KILLS.

Kills.

Towns Improvement Act, 1854. Population, 2,953. Debt, £1,000.

TOWN COMMISSIONERS.

Town Commis-
sioners.

Names, and Description.	Valuation of Premises.	£ s. d.
1. Gustava Tute Dalton, J.P.,	70	0 0
2. John Elliott, Woodbridge,	52	0 0
3. James Killeen, J.P.,	48	0 0
4. Michael Freeman, Anglemore,	45	0 0
5. Patrick Tully, Spirit Grocer,	32	0 0
6. James Cahill, Apothecary,	50	0 0
7. Patrick McGuire, Spirit Grocer,	25	0 0
8. Andrew Doyle, Builder,	25	0 0

Names, and Description.	Valuation of Premises.	£ s. d.
9. Richard J. Dalton, M.P.,	18	10 0
10. Samuel M. Killeen, Grocer and Farmer,	17	0 0
11. James Clark, do.,	17	0 0
12. James Brady, Woodbridge,	16	10 0
13. John Torrey, Coach Builder,	16	0 0
14. John Hays, Spirit Grocer,	15	10 0
15. George Mullin, do.,	12	0 0

JOHN NORRIS, Town Clerk.

LETTER from MR. COLLOP, Local Government Auditor, to the Town Clerk of Kells, relative to proposed advance of £1,200 to the Town Commissioners by their Bankers.

Letter from
Mr. Collop.

11th January, 1877.

SIR,—I received this morning your letter of 4th instant, requesting me to name a day on which I would receive a deputation from the Town Commissioners of Kells relative to the information I require as to the expenditure for permanent improvements on the lands of Loyd, and stating that the deputation will present me with an abstract of the expenditure, and show me that the rental has been greatly improved thereby.

In reply I desire to state that I shall be in the office of the Local Government Board, Custom House, Dublin, on Tuesday next, from 11 to 12 o'clock, when I shall be happy to meet any of the Commissioners if they wish to see me. At the same time I think it will not be necessary for them to do so. If they send me an abstract, and showing the amount

expended on the lands of Loyd under the several heads of "drainage," "fencing," &c., &c., in regard to which the debt to their treasurer has been incurred, certified by the Chairman and two other of the Town Commissioners and yourself as correct, I think I shall be enabled thereby to allow the amount to be shown in the accounts, as a loan at yearly interest, provided that a sinking fund be established for the gradual extinction of the debt, in accordance with the requirements of the Towns Improvement Act, or the debt reduced yearly, as the funds of the township will admit.

I am, sir, your obedient servant,

THOMAS COLLOP.

To Mr. John Norris, Town Clerk,
Kells.

ABSTRACT of the ACCOUNTS of the TOWN COMMISSIONERS of KILLS for the Year ended the 3rd May, 1876, showing the Receipts and Expenditure under the several heads during that period.

Abstract of
Accounts.

Nature of Receipt.	Amount.	£ s. d.
To Balance in hands of Treasurer at commencement of year,	126	11 8
To Balance in hands of former Town Clerk,	17	17 3½
Balance—In hands of former Clerk and Collector,	4101	17 3
Arrears,	167	6 8½
Rental for the year,	1,366	13 6
Dog Tax,	0	0 1
	1,474	16 0½

Nature of Receipt.	Amount.	£ s. d.
Fines and Penalties,	41	16 3
Householdings,	0	14 10½
	41,682	2 0½
Balance due to Treasurer at close of the year,	334	8 8
" Town Clerk,	2	10 0
	41,999	0 0½

Nature of Expenditure.	Amount.	£ s. d.
By Salaries,	330	11 8
Grating for Seward and Workmen,	41	10 0½
Cleaning,	180	3 4½
Lubrication,	186	7 4½
Lighting,	80	17 1
Printing,	4	1 6
Rent,	81	10 0
Taxes—Poor Rate,	494	17 2
County Cox,	34	18 1½
Tithe Rent,	21	3 0
Income Tax,	6	14 8
	94	30 6½

Nature of Expenditure.	Amount.	£ s. d.
Discount of Promissory Notes and Interest on overdrafts,	55	15 5
Promissory Note not paid, charged to Commissioners,	7	16 9
Disallowed by Auditor,	32	14 4
Total Expenditure,	41,694	13 0½
Rest uncollected at close of year,	257	14 10½
" Deducted from receipts,	74	14 5
" Deduction allowed for work outside,	23	1 6
" Balance in hands of present Clerk and Collector,	0	15 9
" Balance in hands of former Clerk and Collector, Mr. B. Comiskey,	126	25 3
Balance in hands of former Clerk and Collector from other sources,	21	8 0½
	41,999	0 0½

May Seal and Oats,	13	6 7
Printing and Stationery,	33	11 10
Stationery Expenses,	52	0 1½
Cost for Town Hall,	7	17 6
Cost of Audit,	9	9 6
Law costs,	81	12 7
Miscellaneous Expenses,	400	0 0
Repayment of Loan on Promissory Note,		

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Town Commissioners of Kells for the year ended the 3rd May, 1876.

Dated this 18th day of November, 1876.

THOMAS COLLOP, Local Government Auditor.

Ann. No. 4.

Kills,
Lands, and
Tenements
of which
Leases have
been taken in.

LIST of LANDS or TENEMENTS the Property of the Corporation of which Leases have fallen in since 1840, Names of Parties to whom relet, the Rents and Terms for which Leases made, and the Rateable value of each on Griffith's Valuation, stating if any of the parties to whom Leases were made were at the time, or before, or since, Members or Officers of the Corporation, or in any instance nearly related to such.

Enumeration of Lands or Tenements of which Leases have been made since 1840.	Names of Parties to whom relet.	Rents.	Term of Lease.	Griffith's Valuation.	Whether Members of Corporation or Officers, or nearly related.
A. R. P.		£ s. d.		£ s. d.	
1 0 0	Marquess of Headfort, .	10 0 0	Lease 75 years, .	10 10 0	
2 2 38	Conchobh Gavin, .	17 7 0	Lease 31 years, .	18 0 0	Head of lands.
5 1 5	Mary McCann, .	5 0 3	No Lease, .	4 10 0	Mother-in-law of Head.
2 1 30	John Crooks, .	5 0 0	No Lease, .	4 0 0	

MAUDSLIN GARDENS PREMISES, &c.

Kells Gas Company, .	4 0 0	Lease 91 years, .	60 0 0	
Frederic Smith, .	—	Lease at 91 years, .	3 10 0	House and Garden.
Patrick Maguire, .	0 8 4½	No Lease, .	0 7 8	Commissioner.
Patrick Tully, .	0 11 1	No Lease, .	0 7 8	Commissioner.

N.B.—The Marquess of Headfort's lease, the term of which was to commence on 1st May, 1854, for 75 years has not yet been executed, but the Town Commissioners are still willing that the lease should be perfected. Lease from Marquess of Headfort of Gas works and gardens commenced 3rd October, 1859, for 91 years. Conchobh Gavin's lease commenced on 1st November, 1863, for 31 years.

Ann. No. 5.

Naas.

APPENDIX No. 5.

NAAS.

Town Improvement Act, 1854. Number of Commissioners, 9. Population, 3,660. Rateable value, £473. Area governed by Town Commissioners, 1 mile and a half. Rate, 1876, 1s. 6d. in the pound. Racial rate, 1873, 5d.

Town Commis-
sioners.

TOWN COMMISSIONERS.

Name and Occupations.	Rateable Value of Houses and Lands in own Occupations.	Name and Occupations.	Rateable Value of Houses and Lands in own Occupations.
	£ s. d.		£ s. d.
Robert S. Hayes, z.p., Chemist, Apothecary and Grocer, .	33 0 0	James Egan, Merchant, .	15 0 0
Henry Bergant, Undertaker and Landholder, .	14 3 6	William Fawell, Esq., .	22 10 0
Stephen J. Brown, Solicitor, .	18 0 0	John S. Carroll, Broker, .	20 0 0
Michael H. Tracy, Petty Sessions Clerk and Land Agent, .	30 0 0	William A. Craig, z.p., Banker, .	22 0 0
		Richard Treacy, Baker and Landholder, .	07 0 0

Abstract of
Accounts.

ABSTRACT of the ACCOUNTS of the Receipts and Expenditure of the Town Commissioners of NAAS for the Year ending 30th April, 1876.

RECEIPTS.			EXPENDITURE.		
	£	s. d.		£	s. d.
To Balance in favour of Commissioners at end of previous year, .	61	19 7½	By Salaries, Wages, &c., viz. :—		
Doon at Potato Market, .	438	6 9½	Town Clerk, .	£20	0 0
" Better Market, .	12	19 0½	Weightmaster, .	37	0 0
" Ouzell, .	42	15 0½	Town Sergeant, .	10	0 0
	75	0 10½	Market Porters, .	0	17 4
Tolls at Fairs, .	28	7 0½		83	17 4
Fines and Penalties imposed in Commissioners' Court, .	43	7 5	Uniform Clothing for Town Sergeant, .	8	3 0
Fines received from Petty Sessions Court, .	4	7 6	Printing, Stationery, and Advertising, .	34	38 7
Licenses for Hackney Cabs and Drivers, .	13	17 0	Gas for Public Lamps and Town Hall, .	26	1 0
Rents for use of Town Hall, .	33	19 0	Election Expenses, .	6	12 8
Gravel of Fals Green, .	11	0 0	Local Government Board for Audit, .	5	3 0
Dog License Duty, .	10	12 10	Rent and Taxes of Town Hall and Fals Green, .	48	12 3½
Contribution in lieu of Rates on Govern-ment Property from Her Majesty's Government, .	4	8 0	Repairs of Town Hall and Premises, .	105	12 0
Gas Receipts, .	0	15 0	Fuel for Town Hall, .	3	18 0
Practises overlooked, .	0	0 9	Incidentals, .	7	14 10
Balance due to Liberator Bank, .	25	4 11	Disallowed by Auditor, .	1	1 0
	£312	19 4½		£312	19 4½

I hereby certify that the foregoing is a true abstract of the accounts of the receipts and expenditure of the Town Commissioners of Naas for the year ended 30th April, 1876, as audited by George W. Finlay, esq., Local Government Auditor.

(Signed),

WILLIAM S. GRAY, Town Clerk.

APPENDIX No. 6.

Ann. No. 6.

Drogheda.

DROGHEDA.

TOWNS IMPROVEMENT ACT, 1854. Number of Aldermen, 4. Number of Town Councillors, 18. Number of Burgesses, 302. Population in 1871, 13,510. Parliamentary Boundary, 5,790a.; Municipal, 450a. Rateable value of property, £27,948. No rates levied.

CORPORATION OF DROGHEDA.

Corporation.

Name, and Profession or Occupation.	Rateable Value of Premises, from July in their own Occupation.			Name, and Profession or Occupation.	Rateable Value of Premises, from July in their own Occupation.		
	£	s.	d.		£	s.	d.
Aldermen.							
George Knapp, Mayor, Gentleman.	14	18	0	Patrick Reilly, Publisher.	25	10	0
Thomas Senecks, Hotel Proprietor and Mail Contractor.	39	0	0	Thomas Conolly, Builder.	31	10	0
Patrick Casey, J.P., Brewer.	304	0	0	James McGowan, House Dealer.	13	0	0
Isaac Torrance, J.P., Corn Merchant.	221	0	0	Robert May, Sign Merchant.	20	0	0
R. B. Daly, J.P., Auctioneer.	35	0	0	Robert J. Kelly, J.P.	47	0	0
John Chadwick, J.P., Gentleman.	63	0	0	John Funnell, Poor Rate Collector.	14	0	0
Town Councillors.							
James Curtis, Pawnbroker.	50	0	0	Michael Collins, Barber.	34	0	0
Walter Kelly, Publisher.	42	0	0	Lawrence Macanaga, Tailor, Manager, Steam Packet Company, Drogheda.	15	0	0
Thomas Brady, Pawnbroker.	45	0	0	Henry Douglas, Corn Merchant.	107	10	0
Richard Moore, Publisher.	21	10	0	William Whitworth, J.P., Merchant.	30	0	0
John Mangon, Publisher.	50	0	0	Lawrence Moore, Gentleman.	22	0	0
				Nicholas Leach, Publisher.	30	0	0
				George Instbury, Auctioneer.	20	0	0

LETTER from Mr. COLLOP, Local Government Auditor, to the Town Clerk of Drogheda.

Letter from Mr. Collop.

13, Herbert-road, Ranelagh,
Dublin, 7th March, 1877.

SIR,—I forward herewith, to be laid before the Mayor and Council of the Corporation of Drogheda, a copy of my report to the Local Government Board on my audit of the Corporation accounts for the year

ended 31st August, 1876, together with a copy of the abstract therein referred to.

I am, sir, your obedient servant,

THOMAS COLLOP, L.G. Auditor.

To JAMES KILKIN, Esq., Town Clerk, Drogheda.

13, Herbert-road, 6th March, 1877.

GENTLEMEN,—I have the honor to report that I have audited the accounts of the Corporation of Drogheda for the year ended 31st August, 1876, and I forward an abstract showing the receipts and expenditure for that period.

The total receipts from all sources during the year amounted to £3,711 9s. 7½d., making with a balance of £149 3s. 10d. to the credit of the Corporation at the commencement of the year, a total of £3,860 13s. 5½d. The total expenditure amounted to £3,631 17s. 6½d., leaving a net balance in favor of the Corporation at close of the year amounting to £228 16s. 8d., or, as shown by the abstract, £251 3s. 7½d. due by the Ulster Bank, less £12 7s. 3d. due to the Treasurer.

Since the 1st January, 1876, the entire of the petty vouchers and court fines for all offences, save excise, customs, and mill-lin fines, have been paid over to the credit of the Corporation, amounting for quarter ended 31st March to £50 2s. 8d., and quarter ended 30th June £42 7s. 3d. The total amount is shown on the abstract.

The state of the collection of the rents of the Corporate property is thus shown:—

	£	s.	d.
Answers, 1st September, '76.	899	10	8
Omitted as irrecoverable.	1	5	11
	898	0	0
Rent for year.	5,775	16	1
	44,186	16	10
Received.	8,235	11	8
Residue, 31st August, '76.	4,355	6	9

It appears from the above that the arrears of rent have increased from £809 10s. 8d. to £253 5s. 5d.,—showing the necessity for more exertion in the collection of the rental. This is the more necessary, as it may

be seen that on the expenditure side of the abstract there is a charge of £13 18s. by the bank on interest on overdrawn account. This charge has hitherto been made and allowed, although considered as of very doubtful legality; but, in accordance with the legal opinion forwarded in your letter of November last, I have stated that such a charge is not a legal expenditure of the town funds, and will not be allowed after the present date.

I have disclosed, under the head of Salaries, the sum of £30, portion of the salary of £130 per annum paid to Mr. Greene, engineer. This salary has been paid to him since his appointment in June, 1871,—at £50 as Surveyor and Inspector, and £80 as Street Sweeper. It has, however, recently come to my knowledge that Mr. Greene is only in receipt of £160, the difference—£30,—being paid over by the treasurer to a Mr. Cogan, who held the appointment prior to Mr. Greene. This appeared to me to be a very irregular proceeding, being an indirect and illegal mode of superseding Mr. Cogan—the power of supersession given to the Corporation, under the Act 32 and 33 Vic. c. 79, not having been acted on by a direct minute to that effect—and I accordingly held that the true amount of Mr. Greene's salary was only £160, and that the difference—£30—was not a legal charge upon the funds of the town, and I recharged the amount to the Town Councillors who by their signatures to the cheques authorized the payment.

I have the honour to be, Gentlemen,

Your obedient servant,

THOMAS COLLOP.

To the Local Government Board, Dublin.

Ann. N.Y. Acad. Sci.

*Dougherty,
Abstract of
Accounting*

ABSTRACT of the ACCOUNTS of the CORPORATION of DROGHEDA for the Year ended the 31st August, 1874, showing the Receipts and Expenditure under the several heads during that period.

RECEIPTS.		
Nature of Receipt		Amount
		£ s. d.
To Balance due by Ellerslie Bank at commencement of the year,		146 9 3
Balance in hands of Treasurer,		2 14 8
Amount of Tents Received and Lodged,	3,282 9 8	
Encroachment Public-Works, Bridge Construction,	356 6 9	
On account of Petty Sessions and Court Fines,	93 10 5	
From Government— Half Salary of Sanitary Officers,	6 2 6	
For Gas for Mayoralty Rooms,	2 0 8	
Total Receipts,		3,711 8 9
Balance due to Treasurer at close of the year,		3,560 14 5

EXPENDITURE.		Amount
Balance of Expenditure		£ s. d.
By Income Tax paid or allowed to		
Tenants by Treasurer,	36 3 7	
Less amount allowed to		
Treasurer,	3 12 7	
For Rate allowed to Tenants		38 11 0
by Treasurer,	157 11 10½	
Less amount allowed to		
Tenants,	25 14 3½	
	145 17 3	
On Corporate Buildings,	33 0 0	
County Cess,		129 7 8
Rents paid,		47 3 0
Fencing, including Labour and Materials,		332 34 8½
Licensing—Paid Gas Company,	500 0 0	497 2 4
Lanterns, &c.,	27 11 1	
Cleaning and Watering,		227 11 1
Salaries—		269 15 0
Mayor,	150 0 0	
Treasurer,	300 0 0	
Town Clerk,	30 0 0	
Engineer,	300 0 0	
Sergeant at Mace and		
Court-keeper,	54 10 0	
Macebearer,	30 0 0	
Bellman, Caretaker, &c.,	35 12 8	
Sanitary Officers—		
Inspector,	10 0 0	
Consulting,	10 0 0	
Sub-Sanitary,	3 15 0	
Discharged by Auditor,	23 0 0	
		691 17 8
Pensions—		
Elm School,	42 0 0	
Male and Female Schools,	21 0 0	
F. Evans,	10 0 0	
		73 0 0
Clothing for Town Sergeant, Watchman, &c.,		17 0 0
Care of Town Clerk,		0 0 0
Vicar Choral,		42 3 7
Watch Establishment,		108 0 10
Fencing and Repairs,		151 16 11
Seeds and Water Supply,		65 18 8
Severin,		355 2 3
Furniture, Stationery, and Postage,		99 17 8
Municipal Expenses,		9 6 0
Interest on Bonds,	440 4 8	
Overdrawn Account,	12 10 0	
		454 2 0
Insurance of Public Buildings,		0 1 3
Fuel,		10 14 10
Local Government Board for Audit,		33 12 0
Compensation for Loss of Horse,		8 6 0
Miscellaneous,		29 3 4
Total Expenditure,		3,621 27 0½
Balance Due by Hibernian Bank at close		
of the year,		591 8 7
		4,212 35 0 ½

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Corporation of Drogheda for the year ended the 31st August 1876.

Dated this 4th day of March, 1877.

Compared with Original, 16th March, 1877.

JAMES KILLEN, Town Clerk.

THOMAS COLLET, Local Government Auditor.

Appt. 304-38

Exhibit 17

APPENDIX No. 7.

ENTSKILJEN

83 and 84 Vis., cap. 143. Number of Commissioners, 31. Population in 1871, 5,836. Acreage within the Municipal Boundary, 129a. Rateable value, £10,907. Improvement Rate, 2s. in the £1.

Town Commissioners.		ENSKILLIN TOWN COMMISSIONERS.									
Name.	Occupation.	Elected at			Name.	Occupation.	Elected at				
		£	s.	d.			£	s.	d.		
Jurwell Jackson, Chairman.	Merchaut.	25	0	0	James Kieroy.	Merchaut.	55	0	0		
William Carma.	Cartmanan.	30	0	0	William Taul.	Do.	50	0	0		
James Dender, Jnr.	Merchaut.	32	0	0	Thomas Gordon.	Do.	45	0	0		
Thomas R. Widdley.	Do.	35	0	0	James M'Elruea.	Do.	35	0	0		
John Mayne.	Do.	55	10	0	William Tebble.	Printer.	55	0	0		
John McEneaney.	Do.	48	0	0	Anthony Caudy.	Merchaut.	75	15	0		
George Wilke.	Hotel Keeper.	70	0	0	Thomas Finckel.	Do.	50	0	0		
George Durnag.	Merchaut.	45	0	0	Edward McNulty.	Do.	48	0	0		
Edward Gaultie.	Do.	32	0	0							

ABSTRACT of the ACCOUNTS of the TOWN COMMISSIONERS of ENNIISKILL for the Year ended the 31st July, 1876, Ann. No. 7.
showing the Receipts and Expenditure under the several heads during that period. Ennisbilleen.

Receipts

Nature of Receipts.		Amount. £ s d	Nature of Receipts.		Amount. £ s d
To Cash in hands of Town Clerk, -	-	46 0 0	To Amount received from Eastonville Gas Com-	-	-
" Sough Improvement Rate, collected and	-	-	pany for Town Councilors' Interest in Gas	-	-
" Indebted, -	-	506 5 2	Works and site thereof, -	-	1,000 0 0
" Water Rate, -	-	776 7 0	" Fees in Borough Court, -	-	18 19 0
" Water Rents:-	£ s d	-	" Dog License Duty, -	-	12 15 5
From Twente Royal School, -	50 0 0	-	" Government Contributions, in lieu of Rates (2	-	77 2 0
" Model School, -	18 0 0	-	years), -	-	-
" Great Northern Rail-	-	-	" Remuneration from Local Government based on	-	-
way Company, -	94 0 0	-	account of Salaries of Sanitary Officers, -	-	32 13 4
" County Infirmary, -	13 0 0	-	" Cash received for Manure, -	-	26 0 0
" Military Authorities, -	60 0 0	-	" " Works executed by Water-	-	-
" Other Contractors, -	24 14 6	-	works Committee, -	-	9 5 2
		224 14 6	" " Green, -	-	5 12 0
			" " Interest on deposit of £1,000,	-	3 6 0
			" " Old Manors, -	-	0 15 0
			" " Sanitary Improvements ef-	-	-
			ected by Town Commis-	-	-
			sioners, -	-	17 13 8
			" Amount retained by Sanitary Office on account	-	-
			of payment made to him in turn, -	-	5 0 0
			" Balance due Treasurer, -	-	154 6 11
					£2,170 2

EXPENDITURES

Nature of Expenditure.		Amount.	
£	s. d.	£	s. d.
By Salaries due Treasurer,			
Salaries, &c.,		88	11 6
Borough Surveyor, one year to			
Sist July, 1879,		100	0 0
Taxes Clerk, do.,		30	0 0
Do. for preparation of lists of Parliamentary votes,		15	0 0
Taxes Assessors,		54	7 10
Do. for Clothing,		27	19 6
Rate Collector, Fees, &c.,		37	2 8
Agents,		17	5 2
		331	16 2
Town Improvements; Repairs of Streets, Foot-			
ways, &c.:—			
Broom-street and Willoughby- place,		258	9 8
Mill-street,		59	12 3
Footway at B. C. Church,		4	8 6
Rugby-green,		2	27 9
Water-street,		15	15 8
Strand-street, &c.,		3	4 11
Gas-street, Friar-chalky, &c.,		1	15 1
Belmore-street,		1	1 10
Forthall-street,		0	34 4
Works at "Round O,"		0	6 0
Hoffe-lane,		1	17 8
Materials for General Repairs,		13	16 9
Repairs of Streets under Contract,		565	8 9
Supply of Workmen's Implements, &c.,		1	0 8
		1	9 13
		418	16 4
Waterworks:—			
Salary of Caretaker,		54	9 8
Wages of Assistants,		2	8 0
Public Works Loan Commis- sioners—Interest of Loan and Interest,		567	10 0
Water Gauge, including Setting, &c.,		4	11 9
Removal and Repair of Street Fontaines,		3	4 2½
Gravel for Walk at Gortemore Park,		2	2 0
Quicks for Hedge, and Works at Park,		4	10 8
		701	15 4½
Lighting:—			
Public Lamps,		217	2 8
Crown Clock,		4	0 0
		221	2 8
Nature of Expenditure.			
By Sanitary Expenses:—		Amount.	
Scheme of Sanitary Officers (14 months, to 31st July, 1879),		68	10 0
Repair of Barwick Sewer,		30	14 9
Flushing of Sewers,		9	10 6
Sewer Traps and Sealing,		27	12 6
Pipes for Wastley-cross,		4	15 6
Other Works,		27	2 11
		165	1 8
Sweeping and Cleaning:—			
Sweeper and Scraper, including carriage of manure,		48	0 0
Wages, Fodder for Horses, &c.,		188	19 6
		237	8 6
Town Hall:—			
Erection of Steel in Tank,		147	19 6
Repairs,		57	10 8
Insurance,		2	10 0
Gas Light,		12	0 8
Fuel,		1	18 8
		200	11 11½
Fire Engines:—			
Storage and Repair of Engines,		4	8 8
Drying and Repeating Hose,		0	14 1
		4	17 7
Public Works Commissioners:—			
Instalment of Loan of £5,000, and interest thereon,		520	11 10
In Reduction of Debt,		1,000	0 0
		1520	11 10
Grand Jury:—			
Borough Proportion of County Charges,		431	1 8
Local Government Bonds:—			
Amort of Accounts,		11	16 0
Clock of Peace:—			
Dialer connected with Borough Registry,		15	0 0
Clock of Union:—			
Copy of Rate Book,		9	0 0
Printing and Stationery,		22	1 3
Law Expenses,		4	17 1
Rates and Taxes, including Tide-renditions, &c.,		47	10 4
Repairs of Harbours and Slacks,		17	1 2½
Interest charged by Treasurer,		2	14 3
Miscellaneous, including Postage,		5	8 8
Clock in hands of Town Clerk,		50	0 0
		216	2 1

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Town Commissioners of Enniskillen for the year ended the 31st July, 1876.

EDWARD J. BROWSE, Auditor.

34

Ann. No. 1.

Enclosures,
Lands and
Tenements of
which Leases
have fallen in.

LIST OF LANDS AND TENEMENTS, the property of the CORPORATION, of which LEASES have fallen in since 1840, NAMES OF PARTIES to whom sold, the RENTS and TERMS for which LEASES were made, and the RENTABLE VALUE of each, on GRIFFITH'S VALUATION, stating if any of the PARTIES to whom LEASES were made, were at the time, or before, MEMBERS or OFFICERS of the CORPORATION, or related to such.

Description of Land, &c., of which Leases have fallen in since 1840.	Names of Persons to whom sold by Lease.	Rate.	Term of Lease.	Griffith's Val. 1840-45—Free Land Valuation.	If Members of Corporation, or any relation.
		£ s. d.		£ s. d.	
House and tenement, Geo-street, .	William Armstrong, .	8 10 0	31 years, .	—	No relation.
Do Tenwick, .	William Arthur, .	1 10 0	Freehold lease, .	48 0 0	Do
Garden, North-street, .	Richard Bell, .	4 17 10	75 years, .	30 0 0	Particular in a Conveyance.
Tenement and garden, Tenwick, .	John Collins, .	16 0 0	Do, .	—	Not related.
Street of land, Tenwick, .	Do, .	5 0 0	Do, .	—	Do
House in Belmore-street, .	Do, .	6 15 2	Do, .	—	Do
House and tenement, Belmore-street, .	Do, .	4 0 0	Do, .	15 10 0	Do
Two houses in Fagel-street, .	William Cowley, .	10 10 0	21 years, .	—	Do
Building ground, Belmore-street, .	James Davis, .	6 5 0	75 years, .	50 0 0	Do
Four acres, .	Earl of Eversfield, .	55 15 0	Do, .	16 0 0	Do
House and tenement, Belmore-street, .	George Fidd, .	6 5 0	Do, .	15 0 0	Do
Do, .	William Frith, .	2 0 0	Do, .	18 0 0	Do
Land in Kilmac, .	Robert Haughey, .	24 8 0	21 years, or 51 years, .	—	Do
House and tenement, North-street, .	George Irvine, .	5 0 0	15 years, .	54 0 0	Do
Do, Belmore-street, .	James Jeffers, .	8 0 0	Do, .	35 0 0	Do
Water in Town Hall, .	George Kinnon, .	10 0 0	21 years, .	7 0 0	Do
House and tenement, Belmore-street, .	John Kinnon, .	5 12 9	15 years, .	15 0 0	Do
Do, do, .	Do, .	5 12 9	Do, .	13 0 0	Do
Land in Tenwick, .	Thomas Liddy, .	1 0 0	Do, .	5 0 0	Do
	John Lemon, Date of lease, March, 1853.	5 0 0	21 years, .	4 0 0	Town Council- lower at date of lease.
Building ground, Tenwick, .	John Lemon. Date of lease, 1870.	10 1 8	15 years, .	194 0 0	Not in office at date of lease.
Garden in Mill-street, .	George Lowry, .	8 10 0	—	—	Not a Com- missioner nor relative.
Land in Kilmac, .	James McGuire, .	25 0 0	21 years, .	—	Do
House and tenement, North-street, .	Katharine McDonnell, .	4 9 6	15 years, .	29 0 0	Do
Land, North-street, .	Do, .	1 10 0	Do, .	2 10 0	Do
House and tenement, Belmore-street, .	Joseph Trickett, .	6 15 0	Do, .	16 0 0	Do
Do, do, .	William Trickett, .	1 0 10	Do, .	11 0 0	Do
Building ground, Tenwick, .	William Guder, .	At rate of 5s. 1d. per foot.	Do, .	17 0 0	Brother to a Com- missioner.
Do, do, .	John Stewart, .	At rate of 2s. 6d. per foot, front- age.	Do, .	18 0 0	Not related.

* Note.—No account of writing at the several names between, to the query here asked, &c. &c.

To the best of my knowledge and belief, I certify that the above is correct.

JAMES CLELAND, Town Clerk.

APPENDIX No. 3.

LONDONDERRY.

3rd & 4th Vols, esp. 108. Number of Corporation, 24. Number of voters at Municipal Elections, 497. Population, 24,830. Acreage within Municipal Boundary, 487½. Rateable value—Houses, £60,743; Lands, £1,175—total, £61,918. Improvement Rate, 4s. in the pound. Debt, £41,731. Number of persons rated at £4 and up to £12, 2,000; £12 and upwards, 1,392.

CORPORATION of the CITY of LONDONDERRY.

Corporation.

Names, and Occupations or Professions.	Valuation.	Names, and Occupations or Professions.	Valuation.
	£ s. d.		£ s. d.
<i>Mayor.</i>			
Sir William Miller, Bart., M.A., Physician and Surgeon.	50 10 0	William John Foster, J.P., Treasurer, .	150 0 0
<i>Deputy-Mayors.</i>			
Henry Davies, J.P., Gentleman, .	106 16 0	James Grosvenor, Merchant, .	500 0 0
Benjamin McCubbin, J.P., Merchant, .	402 0 0	Charles O'Neill, Do., .	180 0 0
Joseph Irving Miller, Esq., J.P., Physician, .	50 10 0	Matthew McCubbin, J.P., Builder and Contractor, .	400 0 0
Samuel O'Hara, J.P., Merchant, .	480 10 0	Alfred Harvey Stewart, Gentleman, .	150 0 0
William McCarty, J.P., Do., .	250 0 0	Robert Hamilton, Merchant, .	200 0 0
Dr Edward Bell, Bart., J.P., Do., .	160 0 0	William McLeary, Do., .	200 10 0
<i>Councillors.</i>			
John Cooke, Merchant, .	370 0 0	Henry Robinson, Do., Physician and Surgeon, .	20 0 0
William Thompson, J.P., Merchant, .	200 0 0	Alexander McTear, Builder and Contractor, .	125 0 0
William Dyant Porter, J.P., Tobacco-merchant, .	125 0 0	Henry Lodge, J.P., Merchant, .	250 0 0
		Thomas O'Hara, Do., .	51 0 0
		Samuel Bell, Do., and Sergeant at Arms, .	35 0 0
		Robert McVicker, J.P., Merchant Tailor, .	200 0 0
		Edmund De Tommaso, Italian Doctor, .	15 0 0

ABSTRACT of the ACCOUNTS of the CORPORATION of the CITY of LONDONDERRY for the year ended the 31st of August, 1875, showing the Receipts and Expenditure under the several heads during that period.

Ann. No. 8.
Londonderry.
Abstract of
Accounts.

RECEIPTS.			EXPENDITURE.		
	£	s. d.		£	s. d.
To Balance at 31st August 1874.	405	5 1	By Miscellaneous Payments.	909	1 6
" Assent of Borough Rate.	10,850	10 3	" Streets and Sands.	4,303	13 3
" Miscellaneous Receipts.	1,765	18 2	" Cemetery.	216	14 1
" Streets and Roads.	56	0 6	" Corporation Hall.	83	10 4
" Cemetery.	204	16 3	" Gunpowder Magazine.	11	8 0
" Corporation Hall.	89	8 0	" Interest on Loans.	1,899	7 9
" Loans.	11,550	0 0	" Lighting of Public Lamps.	1,540	0 0
" Gunpowder Magazine.	59	14 0	" Expense of Markets.	1,249	9 1
" Markets.	3,294	8 0	" Mortgages repaid.	11,000	0 0
" Fire Water.	125	3 4	" Pipe Water—including purchase of		
" Balance.	3,634	6 4	Waterworks Lends.	2,701	5 1
			" Printing and Stationery.	180	18 2
			" Salaries.	1,536	1 2
			" Royal Irish Constabulary—including		
			armies.	4,736	0 6
			" John Algeo, Treasurer, Interest dis-		
			allowed by Auditor.	215	2 2
	430,715	19 1		430,715	19 1

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Corporation of Londonderry for the year ended the 31st day of August, 1875.

Dated this 1st day of March, 1877.

(Signed.)

R. BROWN, Auditor.

REPORT OF CONSULTING SANITARY OFFICER to SANITARY COMMITTEE.

City of Derry, 5th October, 1875.

Report of
Consulting
Sanitary
Officer.

In compliance with the resolution of the sanitary committee adopted at its last meeting, that I should submit a scheme as to the best means of removing and abating nuisance from houses and yards, I beg to offer the following, viz. :—

The most fertile, though by no means the only cause of disease in this, as well as in other large towns, is the non-removal of human excreta, more particularly in thickly populated, and imperfectly drained localities. To this may be added, as belonging to the same category, the keeping of animals, especially swine, in small yards and close proximity to dwelling-houses.

Having regard to this evil, the requirements of this city are—

- 1st.—The construction of privies where they do not already exist;
- 2nd.—The alteration and repair of such as are deficient in construction or condition;
- 3rd.—The keeping of them clean and in proper repair, so that they can be used with decency, comfort, and safety by both sexes.
- 4th.—Properly constructed receptacles for ashes, excreta, and other refuse;
- 5th.—Removal of the contents of these at short intervals.
- 6th.—Drainage and pavement of all yards, so as to prevent seepage of slops and foul fluids.

For several reasons I do not recommend water-closets in connexion with the houses of the working classes. The expense of erecting, siting, and keeping them in repair is very great; and, if badly constructed, out of order, or deficient in water supply, they become an intolerable and dangerous nuisance. Earth closets are in the abstract, superior to all others, but are liable to the same objection; a great amount of waste would take place with either, and constant inspection, involving great expense, would be necessary.

I believe the most efficient, and at the same time simple and economical mode of systematically remedying the evil now under consideration, would be a modified form of what is usually called the "pail system," which has been adopted with great success in some of our very large towns. This may be said to consist of a wooden trough or vessel, sufficiently large

to contain the excreta, ashes, and refuse of the family, for (say) a week, and so placed in relation to the privy as to receive the excreta which would be absorbed, desodorized, and in a great degree disinfecting by the action of the house, daily emptied into the receptacle by a simple arrangement. The pail or receptacle must be fitted with a lid and handles, and be made of such a form as to be easily removable, for the purpose of being emptied into the scavenging carts. These should call at each house within a specified district at an early hour on a fixed day, so that every portion of the city would be cleansed weekly. There is little doubt that the quantity of rich manure so collected would go a long way towards defraying the expense incurred, and perhaps leave a margin of profit.

Should the Corporation carry out this system, it would be necessary to have several depots at some distance outside the inhabited parts of the city.

With regard to animals, more particularly swine (if, unfortunately, the latter are to be allowed within the city), special rules approved by the sanitary committee, and carried out under the orders of the executive sanitary officer, should be made for enforcing cleanliness, and removal of manure, &c., with a proviso that no accumulation should remain longer than a week. The law gives ample power to enforce this.

In connexion with the words "early hour," I strongly recommend that the street sweeping should be done at night, and the sweepings removed in the morning before the doors and windows of dwelling-houses and shops have been opened, and before the street traffic makes the operation more difficult and less complete. The premises in each district should be cleaned on the same morning that its streets are swept.

By the 54th section of the "Public Health Act," it is made imperative on the Local Board, "to see and provide that all drains whatsoever, and all water-closets, privies, composts, and ashpits, are constructed and kept so as not to be a nuisance or injurious to health," and by the previous section there is ample power given to enforce the construction of water-closet, or privy and ashpit. The means for enforcing this are most simple, and are detailed in the several Acts bearing on the subject.

WILLIAM BROWN, M.D.,
Consulting Sanitary Officer.
S & 2

APP. No. 2.

Londonderry.
Executive
Sanitary
Officer's
Report.EXECUTIVE SANITARY OFFICER'S REPORT on cost of carrying out CONSULTING SANITARY OFFICER'S
RECOMMENDATIONS, dated 5th October, 1876.

TO THE URBAN SANITARY COMMITTEE:

GENTLEMEN,—In compliance with your order on 3rd November last, I herewith submit a report on the probable cost of carrying out the recommendation contained in the consulting sanitary officer's report, dated the 5th October previous.

That I might be in a position to lay the full facts bearing on so important a matter before you, I directed the sub-sanitary officers to make a full examination into each house within the urban sanitary district, and make out statistical returns of each street, and which not merely for the present purpose but for future reference will be found to be of great value.

In the summary of returns it appears there are 3,846 houses within the city; attached to these there are 3,188 privies and 875 water-closets; there are 987 houses which have no accommodation of either water-closet or privy.

With the consulting sanitary officer I have gone very fully and closely into the probable cost of having his suggestions carried out.

The first of these, viz., the construction of privies where they do not already exist, supplying them with pails, so as to carry out the pail system, would cost at least £5 per house; this would amount to £19,821.

Second, the altering and repair of such as are deficient in construction, so as to carry out the pail system, of 2,188 privies at £2 each, £4,376.

Repairs to pavings of yards, £600.

Recommendations 3, 4, & 5 include "the keeping of yards and privies clean."

Providing a proper receptacle for ashes, excreta, and other refuse;

And removing the contents of the pails at short intervals.

The cost of these of course, would require to be borne by the sanitary authority, against which there will be the value of the manure.

In the first place there will be required at least three depots, which will cost, say, £20 each per annum, £60.

Each house requiring to have the excreta removed once a week, and assuming that it will occupy two men and one horse and cart for half an hour every week, which costs 1s. 6d.

	£
The annual cost of, say, 4,000 houses amounts to	5,200
Total cost per annum,	5,200

Against this will be the value of the manure, which, estimating 15,000 inhabitants, making allowance for those using water-closets, and assuming the value per head being 5s., will amount to £3,750.

I have examined the difference in cost of carrying out the arrangements recommended in paragraph nine, viz., cleansing the streets at night, and that at present of cleansing them in daylight.

I don't think the work could be done at all as effectively, and I should say I am below the mark when I estimate that night work will cost one-fifth more than day work.

At present the cleansing costs £800 per annum; by doing it at night it will cost £960 per annum.

In a summary of the entire cost to owners making preparation for the recommended system, it appears—

	£
The cost will be	10,934
Annual cost of carrying out the cleansing to be borne by Corporation,	5,840
Net cost value of manure, provided a market can be obtained,	3,750
Balance,	1,344

APP. No. 3.

Coleraine.

APPENDIX No. 9.

COLERAINE.

Town Improvement Act, 1854. Number of Commissioners, 15. Population, 6,523. Acreage within the Municipal Boundary, 996a. Parliamentary Boundary, 983a. Rateable Value, £13,109. Debt, £15,740. Improvement Rate, 1s. in the pound. Rate under Bann Navigation Act, 6d. in the pound.

TOWN COMMISSIONERS.

TOWN COMMISSIONERS.

Names and Professions.	Rateable Value of Property from 1861 to 1870-71.
£ s. d.	£ s. d.
Joseph Gilbert, Chairman, Leather Merchant	40 0 0
and Isaacson	30 0 0
Thomas Andrews, Woollen Draper	30 0 0
William Ellis, Coal Merchant and Spirit Grogger	30 0 0
James Barry Anderson, Woollen Draper	30 0 0
Samuel McCosh, Provision Merchant	30 0 0
Thomas Henry, Grocer and Spirit Merchant	30 0 0
John Kennedy, Iron Founder	30 0 0
Charles Daly, Seed Merchant	30 0 0
Matthew Orr, Hotel Keeper	30 0 0
James Barr, Surgeon	30 0 0
James Gilmore, Watchmaker	30 0 0
James Hamilton, Cycle, Acrobatic and Fireworks of Stran Nee Mills	30 0 0
Berrie Baxter, Painter and Glazier	30 0 0
George Mowbray, Auctioneer	30 0 0
John Boyd Graham, Woollen Draper	30 0 0
John Mathew, Woollen Draper	30 0 0

ABSTRACT of the ACCOUNTS of the BOROUGH of COLERIDGE TOWN COMMISSIONERS for the years ended the 17th May, 1876, and 31st December, 1875, showing the Receipts and Expenditure under the several heads during that period.

APP. No. 1.
Abstract of Accounts.

(General Account, No. 1, for the year ended 17th May, 1876.)

RECEIPTS.			EXPENDITURE.		
Nature of Receipt.	Amount.		Nature of Expenditure.	Amount.	
£ s d.			£ s d.		
1875. May 17.			1875. May 17.		
To Amount received from Tolls and Markets,	458	5 3	By Balance due to Treasurer,	504	16 6
on Account of Rents of Land to			1876. May 17.		
29th September, 1875,	935	11 0	By charges on Land,	130	16 1
from Collector of General Assess-			Expenses on Markets,	172	14 4
ments,	661	1 0	Town Hall—Wages of Caretaker, Coals,		
for use of Town Hall,	53	15 0	Rates, &c.,	121	17 0
Dog Tax and Petty Sessions Fines,	30	11 4	Wages of Fire Brigade,	95	15 6
from Local Government Board,	5	0 0	Cleaning Streets,	37	10 0
for use of Fair Hill and Services,	1	14 0	General Management, including Salary of		
transferred from No. 4 Account			Clark, Nuisance Inspector, &c., &c.,	267	4 11
(Comptrol),	154	6 5	Interest paid to Mortgagees,	570	16 7
transferred from No. 5 Account,			Rate Collector's Fees,	17	1 7
(Waterworks), for which the			Water Supply,	105	10 4
Commissioners stand indebted to			Fair Hill,	0	1 0
the Treasurer,	260	4 4	Lighting Public Lamps,	282	0 0
			Cemetery,	101	5 6
			Street Crossings and Footpaths,	107	5 0
			Sewers,	19	14 4
			Sanitary Operations,	47	0 6
			Balance in favour of Commissioners,	10	16 7
	£2,441	10 2		£2,441	10 0

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the General Account of the Borough Commissioners of Coleridge for the year ended the 17th May, 1876.

Dated this 19th day of August, 1876.

B. SIMMS, Auditor.

(Gas Account, No. 2, for the year ended 17th May, 1876.)

RECEIPTS.			EXPENDITURE.		
Nature of Receipt.	Amount.		Nature of Expenditure.	Amount.	
£ s d.			£ s d.		
1875. May 17.			1876. May 17.		
To Balance,	742	16 10	By Gas Works Amount—Amount paid for Coal		
1876. May 17.			during the year,	1,055	6 10
Amount from Gas customers,	1,845	6 10	Hennah, Donald, & Wilson for repairing		
Town Hall (upper story),	5	12 6	Gasholder,	126	5 11
" (lower story),	15	15 0	Wages,	545	17 8
Public Lamps,	285	0 0	Interest paid Mortgagees,	139	10 0
Rate of Coke,	125	17 0	Rent,	32	5 4
Coal Tax and Securities,	59	18 5	Lime,	25	15 4
Freight Ritchie & Son for Coal Tax,	3	6 8	County Cess,	15	12 4
			Poor Rate,	8	17 0
			Town Rate,	6	17 0
			Income Tax,	4	5 4
			Sundries—comprising Clerk's Salary, Re-		
			tor's, Freight, &c.,	288	6 9
			Plant,	153	11 10
			Balance,	652	5 3
	£3,091	15 7		£3,091	15 7

RIVER BANK ACCOUNT, No. 3, for the year ended 31st December, 1875.

RECEIPTS.			EXPENDITURE.		
Nature of Receipt.	Amount.		Nature of Expenditure.	Amount.	
£ s d.			£ s d.		
1875. December 31.			1874. December 31.		
To Cash received for balance of cargo of Coal			By Balance due Treasurer,	59	16 4
sold at Shed,	14	0 0	1875. December 31.		
Revenue Account—			By Harbour Master's Wages, Burying the		
Dues on Ships,	475	8 0	River, &c.,	96	1 10
" Cargo,	148	7 2	Wages of Pilot, &c.,	87	18 0
Ballast,	11	17 6	Interest paid Mortgagees,	233	19 6
Pilotage,	8	14 4	Balance in favour of Commissioners,	84	18 4
	344	7 0			
On Account of Town Rate,	250	0 0			
	£594	7 0		£512	7 0

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Gas and River Bank Accounts of the Borough Commissioners of Coleridge for the years ended the 17th May, 1876, and 31st December, 1875.

Dated this 19th day of August, 1876.

B. SIMMS, Auditor.

362 LOCAL GOVERNMENT AND TAXATION INQUIRY COMMISSION (IRELAND).

Art. No. 9.

Collection,
Rentals of
Commissioners' Estate.

RENTAL of the Estate of the Commissioners of the Borough of COLERAINE.

Designation.	Tenant's Name.	Date of Lease, Term, &c.	Quantity. Statute Measure.	Tenure Rate.
1. Blagh, .	Thomas Craig,	9 Sept., 1874. 31 years from 22nd Sept., 1871,	A. R. P. 44 0 10	£ s. d. 50 0 0
2. " "	James Green,	" " " " " " " "	72 1 15	80 0 0
3. Cragsnoke,	Campbell Dean,	" " " " " " " "	45 1 5	51 0 0
4. Blagh, .	Walter Rankin,	" " " " " " " "	9 2 16	12 0 0
5. " "	David Rankin,	" " " " " " " "	44 1 6	58 0 0
6. " "	Robert M'Conaghy,	3 Mar., 1873. " " " " " " " "	22 3 25	33 0 0
7. Dooy Beg, .	John O'Neill,	9 Sept., 1874. " " " " " " " "	31 1 2	32 10 11
8. " "	Samuel Coleman,	Tenant from year to year, " " " " " " " "	7 1 5	12 0 0
9. " "	William John Glenn,	9 Sept., 1874. 31 years from 29th Sept., 1871,	14 0 11	32 0 0
10. Killybeg Beg, .	Abel Rankin,	" " " " " " " "	27 3 11	36 0 0
11. " "	Samuel M'Curdy, new	" " " " " " " "	17 2 25	24 0 0
12. " "	Abel Rankin,	" " " " " " " "	" " "	" " "
13. " "	Thomas M'Quinn,	22 Aug., 1874. " " " " " " " "	21 0 3	30 0 0
14. Tollyn, .	James Black,	15 Aug., 1874. " " " " " " " "	11 0 31	18 0 0
15. " "	James Barr, now John	22 Aug., 1874. " " " " " " " "	20 0 36	24 0 0
16. Island Verdon, .	M'Allison,	" " " " " " " "	" " "	" " "
17. " "	Henry Young,	9 Sept., 1874. " " " " " " " "	39 2 1	80 0 0
18. " "	William Woodside,	" " " " " " " "	3 2 10	4 0 0
19. Incheering and	James Black,	" " " " " " " "	19 0 21	21 0 0
20. Crighghora,	" " " " " " " "	" " " " " " " "	" " "	" " "
21. " "	William M'Collum,	" " " " " " " "	75 1 20	86 0 0
22. " "	Elizabeth Kemp,	" " " " " " " "	29 2 17	33 0 0
23. Incheering, .	William M'Neil,	" " " " " " " "	24 2 0	33 0 0
24. " "	" " " " " " " "	" " " " " " " "	45 1 10	47 12 10
25. " "	" " " " " " " "	" " " " " " " "	" " "	30 0 0
26. " "	" " " " " " " "	" " " " " " " "	" " "	2 0 0
27. " "	" " " " " " " "	" " " " " " " "	" " "	15 13 10
Old lease held by John O'Neill, Northern Building Company (Coleraine), Robert Rankin, Dr. Church,			447 0 24	787 14 1

Amount of Property in Domesday Book, as held under the control of the Commissioners, 473a. 2s. 13d.
Valuation, £687 13s.

Art. No. 10.

Fethard.

Town
Commissioners.

APPENDIX No. 10.

FETHARD.

TOWN COMMISSIONERS.

Name and Occupation.	Valuation for Municipal Purpose.	Name and Occupation.	Valuation for Municipal Purpose.
Henry R. Sykes, Clerkman, General Merchant, .	£ s. d. 30 0 0	John Skeffeld, Farmer and Land Owner, .	30 0 0
John M. Curley, Farmer and Timber Merchant, .	40 0 0	Thomas M'Killop, Draper and Clerk of Petty Sessions, .	30 0 0
Frederick Sykes, Auctioneer and Land Agent, .	30 0 0	John M'Killop, Farmer and Baker, .	30 0 0
Thomas Concoran, Butcher, .	20 0 0	Michael M'Curry, Farmer and Draper, .	20 0 0
John Byrne, Cow Merchant, .	20 0 0	James Murray, Dist. Messenger, .	20 0 0
Laurance Byrre, Saddlery Merchant, .	20 0 0	Richard M'Neil, Veterinary, .	20 0 0
John Shaw, Farmer, &c., .	20 0 0		

Abstract of
Accounts.

ABSTRACT OF THE ACCOUNTS OF THE TOWN COMMISSIONERS OF FETHARD, ending 17th June, 1874.

EXPENDITURE.		RECEIPTS.	
Nature of Expenditure.	Amount.	Nature of Receipt.	Amount.
Scholarships and Wages, .	£ s. d. 45 14 2	On hands but Accounts, .	£ s. d. 36 18 0
Lamps and Lighting, .	24 9 11	Petty Sessions Fees, .	9 5 0
Repairs to Pumps, .	3 10 0	Dog Tax, .	15 4 7
Expenses to Court-house, .	5 18 0	Rents, .	199 13 6
Miscellaneous and Auditing, .	4 8 8		
Post-charges, Rates, and Taxes, .	20 3 0		
Repairs to Streets and Cleansing, .	25 19 2		
Fees for Commissioners' Rooms, .	1 0 0		
Balance on hands, .	60 19 1		
	£192 9 0		£199 2 0

Art. No. 11.

Tuam.

APPENDIX No. 11.

TUAM.

Number of Commissioners, 11. Number of Municipal Voters from £4 to £15, 95. Number of Municipal Voters above £15, 65. Population in 1871, 4,321. Acreeage within Municipal Boundary, 604a. 1s. 3d. Rateable Value of Lands and Buildings, £3,918 2s.

Town
Commissioners.

TOWN COMMISSIONERS.

Name and Occupation.	Rating.	Name and Occupation.	Rating.
1. William Gordon, Clergyman, A.P., Gentleman, .	£ s. d. 41 0 0	7. Edward O'Donnell, Draper, .	£ s. d. 14 10 0
2. Thomas Rankin, M.D., .	25 0 0	8. James Bourke, General Merchant, .	12 0 0
3. William Quinn, Poultry-keeper and Farmer, .	17 5 0	9. John Glenn, Provision Merchant, .	41 0 0
4. Peter A. Daly, Hatch-keeper, .	24 0 0	10. Peter Kennedy, School-keeper, .	19 0 0
5. John Myrland, Poultry-keeper and Grocer, .	25 10 0	11. Francis Corbett, Grocer, .	16 10 0
6. Patrick O'Brien, Grocer, Wine & Spirit Merchant, .	12 0 0		

ABSTRACT of the ACCOUNTS of the TOWN COMMISSIONERS of TUN for the Year ended the 29th September, 1876, Art. No. 11.
showing the Receipts and Expenditure under the several heads during that period.

RECEIPTS.			EXPENDITURE.			Trans- ferred Abstract of Accounts.
Nature of Receipts		Amount	Nature of Expenditure.		Amount	
		£ s. d.			£ s. d.	
To Balance in hands of Treasurers,		385 19 1	By Building and Repairing,		18 0 9	
" Amount received on account of Tolls,		700 0 0	" Fencing and Flagging,		18 0 3	
" Amount received from County Treasurer on account of Flagging,		22 0 0	" Lighting,		75 0 0	
Dog License,		8 18 6	" Clearing Streets,		45 11 4	
Fines at Petty Sessions,		1 1 3	" Officers' Salaries,		307 15 4	
Receipts for use of Town Hall,		0 7 4	" Law costs,		8 0 0	
" Lodged by Chairman,	23 5 0		" Printing and Advertising,		8 5 0	
" Do. Lodged by late Clerk,	3 10 0		" Rent and Taxes,		100 10 5	
		4 15 0	" Stationery,		2 15 6	
			" Clock Account,		8 0 0	
			" Weights and Measures,		2 15 0	
			" Public Lamps,		23 15 6	
			" Fuel,		7 10 8	
			" Parkings,		0 5 0	
			Expenditure in connection with Fairs,		22 3 0	
			On account of Mortgage,		679 7 0	
			Insurance,		0 17 6	
			Expenditure—Sewerage,		24 3 4	
			Balance due by Treasurer,		1 15 9	
		41,168 18 3			41,168 18 3	

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Town Commissioners of Tun for the year ended the 29th September, 1876.
Dated this 2nd day of December, 1876.

ARTHUR McHUGH, Auditor.

APPENDIX No. 12.

NEW ROSS.

Town Improvement Act, 1854. Population, 6,772. Acreage within Municipal Boundary, 441 acres. Rateable value of property, £7,808. Number of Commissioners, 15. Number of persons entitled to vote at Municipal elections, 241. Rate, 8d. in the pound.

TOWN COMMISSIONERS.			TOWN COMMISSIONERS.		
Name.	Profession or Occupation.	Rateable Value of Premises giving qualification.	Name.	Profession or Occupation.	Rateable Value of Premises giving qualification.
<i>New Ross Ward.</i>					
Patrick Kelly,	Draper,	28 0 0	John Dewar,	Draper,	24 0 0
Andrew M. Shanahan,	Hotel-keeper,	42 0 0	John Williams,	Shoemaker, &c.,	34 0 0
Isaac Jeffries,	Merchant,	50 0 0	William H. Whittay,	Medical Practitioner,	38 10 0
Edward Casson,	Shoemaker,	18 10 0	Richard Baldwin,	General Draper and Boot	
James A. Magee,	Island Harbours,	12 0 0	" Warden,		28 0 0
Patrick Bolger,	House Painter and Accommodator,	10 0 0	William Armstrong,	Merchant,	12 10 0
Daniel Fowler,	Shoemaker and Farmer,	14 0 0	Martha Quinn,	Draper,	12 10 0
David Murphy,	Shoemaker, &c.,	20 0 0	Shepherd F. McCannick,		
			" &c.,	Merchant,	70 0 0

ABSTRACT of the ACCOUNTS of the TOWN COMMISSIONERS of NEW ROSS for the Year ended 30th May, 1876, Abstract of Accounts.
showing the Receipts and Expenditure under the several heads during that period.

RECEIPTS.		EXPENDITURE.	
Nature of Receipt.	Amount. £ s. d.	Nature of Expenditure.	Amount. £ s. d.
To Amount received during year in respect of—		Balance due to Treasurer on 14th May, 1875.	189 10 1
Borough Rate,	321 14 4	By Amount expended during year is—	
Corporate Rate,	372 7 10	Sewerage, Cleansing, &c.,	77 16 5
Pipe-water Rate,	55 5 3	Street Contracts, and new works,	108 19 1
Sale of manure,	38 10 0	Public Lighting, &c.,	213 16 7
Grand Jury Presentments,	124 3 4	Salaries of Town Clerk, Inspector, &c.,	93 0 0
Use of Town Hall,	3 7 9	Wages of Assistant Inspector, Porters,	38 12 8
Dog Tax,	12 10 0	Printing, Stationery, and Advertising,	31 17 4
Miscellaneous receipts,	7 10 7	Rent and Taxes,	28 12 11
Fines under Licensing Acts,	42 3 8	Commission to Collector,	95 10 0
Contribution from Government towards Salaries under Public Health Act,	19 8 1	Law Costs,	7 3 2
		Sinking Fund,	10 0 0
		Interest on Loan,	10 0 0
		Incidental Expenses,	55 9 2
		Expended under Public Health Act—	
		Water Supply,	30 11 9
		Salaries and Wages,	54 2 5
		Making and cleansing Sewers,	23 16 10
		Printing, &c.,	1 9 4
		Sanitary precautions,	2 10 10
		Balance due by Treasurer on 30th May, 1876,	24 7 11
Total,	41,025 3 11	Total,	41,025 3 11

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Town Commissioners of New Ross for the year ended the 30th May, 1876.
Dated this 19th day of July, 1876.

W. McDERMOTT, Auditor.

Arr. No. 12. STATEMENT OF RATES made in the BOROUGH of NEW ROSS, from the year 1855 to the year 1876, both years included.

Statement of Rates.

Date when Rate made.	Rate in the £1 on Net Assessable Valuation.	Average Rate for five years.	Date when Rate made.	Rate in the £1 on Net Assessable Valuation.	Average Rate for five years.	
1855, December 26th,	12d.	9d.	1870,*	—	6d.	
1856,*	—		1871, February 26th,	6d.		
1857, February 12th,	12d.		1872, March 10th,	12d.		
1858, February 12th,	9d.		1873, April 3rd,	12d.		
1859, February 12th,	12d.		1874, May 20,	12d.		
1860, February 14th,	6d.	6½d.	1875, November 20th,	12d.	6d.	
1861, March 10th,	7d.		1876,*	—		
1862, February 12th,	6d.		22 years, 163d. 7½d. average for 22 years.			
1863, March 30th,	6d.		* No Rate made.			
1864, March 30th,	6d.					
1865, April 21st,	6d.	6½d.				
1866, June 8th,	6d.					
1867, June 24th,	6d.					
1868, August 15,	6d.					
1869, October 14,	6d.					

APPENDIX No. 13.

COOKSTOWN.

Arr. No. 13.

Cookstown.

Towns Improvement Act, 1854. Number of Commissioners, 12. Population in 1871, 3,501. Town Revenue, £369. Rateable value, £6,399. Rate, 1s. in the pound.

TOWN COMMISSIONERS.

Two Commissioners.

Wm. J. Decker, esq., Chairman.	William A. Gunning, esq.	James Mullin, esq.	John Harbison, esq.
Joseph Barry, esq.	David Anderson, esq.	Ed. Laidie, esq.	William Smith, esq.
Thomas McSherry, esq.	David H. Charles, esq., M.D.	John W. Walsh, esq.	John Harnish, esq.

Abstract of Accounts.

ABSTRACT OF THE ACCOUNTS OF THE TOWN COMMISSIONERS OF COOKSTOWN for the year ended the 18th May, 1876, showing the Receipts and Expenditure under the several heads during that period.

RECEIPTS.		EXPENDITURE.	
Nature of Receipts.	Amount.	Nature of Expenditure.	Amount.
To account of Town Rates,	£ 386 7 4	By balance at close of last financial year,	145 3 2
Fines,	60 17 2	Salaries,	24 0 0
Dog Tax,	11 2 9	Pumps,	10 10 6
Cart toll,	1 10 8	Lamps and lamp-light,	32 12 9
Balance at close of financial year,	391 12 3	Gas light,	315 6 4
		Postage, stationery, and advertisements,	2 17 0
		Rate Collector's remuneration,	2 4 8
		Audit Fund,	2 8 0
		Road and taxes,	12 19 4
		Sweeping crossings,	5 7 0
		Incidental expenses,	5 5 1
		Flagging,	166 3 1
		Sweeping streets,	3 0 0
		Interest,	5 2 3
		Repairs Fire Engine,	9 1 10
	£481 10 4		£481 10 4

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Town Commissioners of Cookstown, for the year ended the 18th May, 1876.

Dated this 13th day of July, 1876.

R. SORRIS, Auditor.

Arr. No. 14.

No. 17.

APPENDIX No. 14.

NEWRY.

Number of Commissioners, 18. Population, 14,158. Rateable value of property, £30,602.

TOWN COMMISSIONERS.

James Fyfe, J.P., Chairman, House and Land Agent,	4	Henry Thomas, J.P., House, Wine, and Spirit Merchant,	302
Robert Gleavey, Gentlemen,	403	Robert Dempsey, Flax Spinner,	898
John Q. Henry, J.P., Land Agent,	21	James MacMahon, Gentlemen,	45
John McDowell, Grocer,	48	John J. O'Hagan, J.P., Woodland,	80
William Fraser, Coal and Grain Merchant,	54	Patrick Campbell, Tailor and Currier,	33
John K. Todd, Seed Merchant,	32	Thomas Lytle, Gentlemen,	22
James F. Ertzine, Esq., J.P., Gentlemen,	50	Richard Dempsey, Grocer and Spirit Dealer,	44
Robert Lucas, Iron Founder and Engineer,	50	Arthur J. Small, Grocer and Spirit Dealer,	53
Abraham W. Sordals, Grain Merchant,	106	Edward A. Maginnis, Rates,	48

* As comptrol.

† As issuer.

ROBERT H. DONNERY, Town Clerk.

ABSTRACT of the ACCOUNTS of the TORY COMMISSIONERS of NEWRY for the Year ending 31st December, 1876.

APP. 50. 14.

Sorry.
Abstract of
Accounts.

References

Particulars.	£	s.	d.	£	s.	d.
To Amount at close of last year's Current Account,	871	6	8½			
To Balance as result of Property Account,	660	12	4	1,531	19	0½
Excess, 1853 and 1876,				2,040	5	11
" 1870 and 1877,				874	10	4½
Government contributions to States,				150	17	5
Fines,				253	4	3
Donations,				38	7	0
Hockey Car Licenses,				14	15	6
Money paid,				33	0	0

Nature of Receipt.	£			s			d			Amount.		
	£	s	d	£	s	d	£	s	d			
Rent of Houses,	20	8	4									
Proportion of Salaries (Public Health Act),		8	10	0								
Printing and Binding Returns &c.,	15	5	3									
Board of Works (sewerage Sewer from Model School),		24	4	0								
Fire Brigade Attendance at Fires,		33	5	0								
Fuel, &c.,		1	5	0								
Ten Pipers sold,		3	19	6								
							322	2	11			
Income from Markets,							3,496	10	7			
							£3,818	12	18			

Expenditures

GENERAL EXPENSES.		Amount.
Nature of Expenditure.	£ s d	£ s d
To Salaries and Collector's Pwage, . . .	677 5 0	
Rent of House and Borough Court, . . .	41 5 10	
Advertising, Printing, &c., . . .	57 8 7	
Electricity of Commissioners, North Ward,	9 11 10	
Incendish,	7 0 8	
Auditor's Fee,	14 14 0	
Uniform for Inspectors,	19 14 0	
Repairs of House, Office, &c., . . .	8 15 1	
Public Healths Act Salaries,	85 12 0	

CINCINNATI.		
Non-regist' Wagon, Carriage, and		
Became,	291	7 1
Lost of Horse Yard, &c.,	2	10 10
Horse for do.,	8	13 8
Expens, Horse Sleight, &c., . .	35	15 0
FORAGE for Horses,	33	2 8
	349	8 1

FATERS ARE FLAGGED.			
Wages and Seed,	67	5	9
Asphalts and Coverings,	100	3	6
	<u>167</u>	<u>8</u>	<u>5</u>

TRAFFIC.				
Sever, Queens-street,	-	-	-	50 17 4
Sever, Baddie's-cove,	-	-	-	20 15 6
Sever, Catherine-street,	-	-	-	45 1 0
Sever, George's-lane,	-	-	-	58 9 4
Minor Tugs, &c.,	-	-	-	8 3 11
Leisure,	-	-	-	16 15 0

LADING.				
Ind. Henry Gas Company,	.	.	620	15 3
Marshall & Co.,	.	.	4	9 9
				<hr/>
				624 15 3

SUMMARY RECEIPTS.				Amount.	
Nature of Receipt.				£	s. d.
Labour and Material Men,			156	1	0
Labour at Stone Breaker,			89	1	0
Stones, Carriage, and Road,			574	7	5
Coal, 66, £s. for Engines,			22	11	5
Repairs of Engines, &c.,			37	9	0
Roadsteads,			5	12	11
Gravel Bridge Contract,			18	10	0
Repairs of Stone Bridge,			12	15	5
			732	10	11

FIVE ENGLAND.				
Begale Practices,	" " "	5	8	0
Wagon at Floss,	" " "	9	5	0
Repairs, &c.,	" " "	1	12	3

COUNTY OF LARSEN, MINN.	
Paid Grand Jury, County Down, . . .	432 15 7
Paid Grand Jury, County Aroostook, . . .	497 8 4
Reversion of Voters' Lists, . . .	54 14 0
Disallowed by Auditor, . . .	35 0 0

MARKETS.		1909	1911
Labour and Wages,	009	1	5
Investments, Bonds, Funding, &c.,	59	6	1
Rates and Insurance,	24	1	9
Repairs,	33	4	11
		1,003	31

STREETS AND IMPROVEMENTS.	
Markets and Town Improvements,	2,457 13 6

	PROPERTY.		
By Pipes and Fittings,	88	1 11	88 1 11
Low Coals,	46	4 2	
Purchase of Property,	478	12 0	
Sandries,	13	17 6	
Balance,			836 16 9
			1,127 14 8
			47,803 7 10

Waterford's Accident

RECEIPTS.		Amount.	
Nature of Receipt.		£	s. d.
To Bank, 1875 and 1876,		500	10 10
Rates, 1875 and 1877,		254	2 114
Government Contribution to Rates,		40	0 3
Rents, Special Supplies,		358	3 0
Payments supplied to Customers,		32	1 3
Balance,		272	6 10
		41-542	12 74

EXPENDITURE.		Amount.	
Nature of Expenditure.		£	s
By Balance from last year,		575	15 8
Interest on Loans and Sinking-fund,		1,300	0 0
		£	s
Labour,		64	10 6
Materials,		32	14 7
Taxes,		53	16 10
Repairs,		25	1 8
Incidental,		39	12 4
		<u>184</u>	<u>1 38</u>
		£1,842	17

BALANCE ACCOUNT

To Balance to Credit of Current Account,	£	s.	d.	By Balance to Debit of Water Works Accounts,	£	s.	d.
	1,127	14	3	Balance to Treasurer's hands,	272	6	10
					855	7	5
	<u>1,127</u>	<u>14</u>	<u>3</u>		<u>1,127</u>	<u>14</u>	<u>3</u>

I certify that the above is a true abstract of the Receipts and Expenditure of the Town Commission-
Newry for the year ending 31st December, 1876.

14th February, 1877.

THOMAS COLLET, Local Government Assoc
3 R

APPENDIX No. 15.

DUBLIN.

ESTATE of the Right Honorable the LORD MAYOR, ALDERMEN, and BURGESSES of Dublin.—SCHEDULE of PROPOSALS for NEW LEASES, submitted to Order of whole Council of 13th February, 1877.

Plot or House No.	No. of House.	Street or Description.	No. of Lot.	Original Lessee.	Occupants who have proposed.	Term of proposed New Lease.	Expiry of last existing lease.	Proposed Rent.	Proposed Free Land Valuation.	Proposed Rent on Building Lease for 21 years.	Proposed Rent on Building Lease for 99 years.	Observations.
21	194	Griffin-street.	A R 123	William Reed.	Moore, Hodges & Foster, bookbinders.	21 years	Mar. 1846	£ 2 1 0	£ 115 0 0	£ 200 0 0	—	Valuation by Dr. Davidson and Gale.
21	195	Do.	A R 124	John Boshaw.	Addressed Joseph Boshaw, all vacant.	21 "	Mar. 1850	22 12 6	140 0 0	200 0 0	—	Do.
21	196	Do.	Part of A R 125	Mary Donnelly.	James, and others.	72 "	Mar. 1850	25 2 6	200 0 0	—	120 0 0	Do.
21	197	Do.	A R 126	Do.	George McGarvey, watchmaker.	72 "	Mar. 1850	25 2 6	200 0 0	—	120 0 0	Do.
21	198	Do.	Part of A R 127	George Grant.	Alexander Ogilby, bookseller and stationer.	72 "	Mar. 1850	25 2 6	200 0 0	—	120 0 0	Proposed to purchase for £1,000.
21	199	Do.	Part of A R 128	Edw. Byrne.	Edw. Byrne, tailor.	31 "	Mar. 1850	15 7 0	120 0 0	—	—	No rent stated in proposal.
21	200	Griffin-street.	A R 129	Griffin Mayers.	James J. Griffin, house and land agent.	72 "	Mar. 1850	22 12 6	110 0 0	—	120 0 0	Valuation by Dr. Davidson and Gale.
21	201	Do.	Part of A R 130	John Gifford.	Veronica and Co. Dublin rubber-plate makers.	72 "	Mar. 1850	25 2 6	200 0 0	—	120 0 0	Do.
21	202	Do.	Do.	Do.	William P. Hulse, bookseller.	72 "	Mar. 1850	25 2 6	200 0 0	—	120 0 0	Do.
21	203	Do.	Do.	Do.	John Boshaw, bookseller.	72 "	Mar. 1850	25 2 6	200 0 0	—	120 0 0	Do.
21	204	Do.	Part of A R 131	Robert Boshaw.	Joseph Boshaw, goldsmith and jeweller.	72 "	Mar. 1850	25 2 6	200 0 0	—	120 0 0	No rent stated in proposal.
21	205	St. Andrew-st.	A R 132	Francis Foster.	W. H. Foster, coachmaker and agent.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Lease of Trinity College Dublin, part of rent. Proposal does not state any amount of rent.
21	206	Do.	A R 133	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	207	Do.	A R 134	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	208	Do.	A R 135	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	209	Do.	A R 136	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	210	Do.	A R 137	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	211	Do.	A R 138	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	212	Do.	A R 139	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	213	Do.	A R 140	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	214	Do.	A R 141	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	215	Do.	A R 142	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	216	Do.	A R 143	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	217	Do.	A R 144	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	218	Do.	A R 145	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	219	Do.	A R 146	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	220	Do.	A R 147	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	221	Do.	A R 148	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	222	Do.	A R 149	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	223	Do.	A R 150	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	224	Do.	A R 151	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	225	Do.	A R 152	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	226	Do.	A R 153	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	227	Do.	A R 154	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	228	Do.	A R 155	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	229	Do.	A R 156	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	230	Do.	A R 157	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	231	Do.	A R 158	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	232	Do.	A R 159	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	233	Do.	A R 160	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	234	Do.	A R 161	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	235	Do.	A R 162	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	236	Do.	A R 163	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	237	Do.	A R 164	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	238	Do.	A R 165	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	239	Do.	A R 166	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	240	Do.	A R 167	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	241	Do.	A R 168	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	242	Do.	A R 169	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	243	Do.	A R 170	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	244	Do.	A R 171	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	245	Do.	A R 172	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	246	Do.	A R 173	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	247	Do.	A R 174	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	248	Do.	A R 175	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	249	Do.	A R 176	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	250	Do.	A R 177	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	251	Do.	A R 178	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	252	Do.	A R 179	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	253	Do.	A R 180	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	254	Do.	A R 181	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	255	Do.	A R 182	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	256	Do.	A R 183	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	257	Do.	A R 184	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	258	Do.	A R 185	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	259	Do.	A R 186	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	260	Do.	A R 187	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	261	Do.	A R 188	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	262	Do.	A R 189	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	263	Do.	A R 190	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	264	Do.	A R 191	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	265	Do.	A R 192	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	266	Do.	A R 193	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	267	Do.	A R 194	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	268	Do.	A R 195	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	269	Do.	A R 196	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	270	Do.	A R 197	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	271	Do.	A R 198	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	272	Do.	A R 199	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	273	Do.	A R 200	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	274	Do.	A R 201	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	275	Do.	A R 202	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	276	Do.	A R 203	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	277	Do.	A R 204	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	278	Do.	A R 205	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	279	Do.	A R 206	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	280	Do.	A R 207	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	281	Do.	A R 208	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	282	Do.	A R 209	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	283	Do.	A R 210	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	284	Do.	A R 211	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	285	Do.	A R 212	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	286	Do.	A R 213	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	287	Do.	A R 214	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	288	Do.	A R 215	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	289	Do.	A R 216	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	290	Do.	A R 217	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	291	Do.	A R 218	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	292	Do.	A R 219	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	293	Do.	A R 220	James Foster.	James Foster, bookseller.	31 "	Sept. 1813	10 0 0	20 0 0	40 0 0	—	Do.
21	294	Do.	A R 221	James Foster.	James Foster, bookseller.</							

APP. No. 15.

Dublin.
Barrow of
Newcastle.

wood, but now called Ringwood, situate in the barony of Newcastle, parish of Newcastle (Lyons), and county of Dublin, containing 53a. 3a. 9r. (plantation measure, equal to 87a. 0a. 20r. statute measure, was last demised by lease dated 16th July, 1819, granted by the Right Honourable the Lord Mayor, Sheriff, Common, and Citizens of the City of Dublin (the legal name and style of the then Municipal Corporation of Dublin) to William Sherlock, esq. To hold for fifty-eight years from the 25th day of March, 1819, at the yearly bulk rent equal to £116 2s. 9d. sterling.

That by virtue of an Act passed in the Imperial Parliament in the fifty-eighth year of the reign of His Majesty King George III., entitled An Act for enclosing certain Commons Land in said county of Dublin, including the Commons of Newcastle, in said county, a part of said last mentioned commons, containing about 7a. 0a. 10r., was in the year 1824, by a written award under said Act, allotted and awarded to the said then Municipal Corporation of Dublin, as owners of said adjoining lands of Ringwood; and that said allotted portion of said late commons was allotted by said Corporation of Dublin to remain, without payment of any additional rent therefor, in the enjoyment of said lessee of said lands of Ringwood, pending the duration of said lease.

That all the interest of said lease, William Sherlock, in said lands of Ringwood and said portion of said former Commons of Newcastle subsequently, by means assignment dated 1st February, 1859, became vested in Edward Gerty, therein described, who had since said last mentioned date held and occupied said lands of Ringwood and said part of said commons as aforesaid.

That all the estates of the said then Municipal Corporation of Dublin had, by operation of the Act 3rd and 4th Victoria, chap. 105, section 12, become vested in said memorialists under their new name of the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin.

That said memorialists on 1st January, 1851, made a code of by-laws for regulation of the public business of said memorialists, the 54th of said by-laws setting forth that no property of said memorialists could be disposed of on lease without being first set up twice to public auction. That said 54th by-law was varied and amended on the 13th day of March, 1876, with consent of His Excellency the Lord Lieutenant, according to the printed form to said memorial annexed, will appear.

That said Edward Gerty, occupant of said lands of Ringwood under said lease (to expire 25th March, 1877), had proposed in writing to said memorialists for a new lease of said lands for thirty-one years from 25th March, 1877, at the yearly bulk rent of £116 2s. 9d., reserved in said lease. That although said memorialists were advised that last mentioned rate of rent was quite insufficient, they were aware that said Edward Gerty had kept his lands well measured during his occupation thereof. Said memorialists were, there-

fore, desirous to give him a preference of a new tenancy at the present fair letting value of said lands; and said Edward Gerty, when required by said memorialists, procured and furnished to memorialists a written valuation of said lands, dated 30th October, 1874, signed by Messrs. Bransington and Gale, who have valued said lands, as follows:—

Fifty-six acres, Irish plantation measure, at the rate of £3 10s. per Irish acre, . . .	436 0 0
And for the stated daily-rent to said office on said lands, . . .	16 0 0
Making together . . .	452 0 0

As by a copy of said valuation to said memorial annexed will appear.

That said Edward Gerty had also sent in an amended proposal for thirty-one years at the said yearly rent of £214.

That although said memorialists wished to give the preference of tenancy to said Edward Gerty, they were first desirous to ascertain what value would be placed upon said lands by a sworn valuator to be appointed by the Lords of the Treasury, according to the terms of said amended 54th by-law; said memorialists therefore agree to present a memorial praying for appointment of a sworn valuator.

That as said lease, A. H. 80, will expire on the 25th March, 1877, said memorialists were desirous before that date to fix the rent to be reserved in any new lease to be made by memorialists to said Edward Gerty.

That pending the presentation of such memorial the said Edward Gerty died on 25th February, 1877, having first made his will in writing, whereof he appointed his daughter, Frances Gerty, spinster, his sole executrix and legatee, as will appear by a copy of the probate grant to said Frances Gerty to said memorial annexed.

That said Frances Gerty has petitioned said memorialists for, and agreed to accept, such new lease on the same terms that were intended to be granted to her deceased father, Edward Gerty.

That said memorialists, on Friday, the 23rd day of March, 1877, adopted the following resolution:—

"That this report be adopted, and that the memorial be sent forward with a clause to the effect that the rent to be reserved in the lease shall not be less than the new fixed by the sworn valuator asked for in the memorial, or that offered by Miss Gerty."

And said memorial prayed the appointment by their lordships of said sworn valuator to fix the fair letting value of the above and several other holdings now coming within the scope of the 54th by-law, as amended.

And take notice that said memorial will remain posted in my office, for inspection during office hours, for one calendar month from the publication hereof.

JOHN MARIN,

Assistant to the Town Clerk.

Dated this 14th day of April, 1877.

Report of Mr.
Morgan.

REPORT OF MR. MORGAN, LAW AND LAND AGENT.—TOWN OF BALDOYLE.

Henry Hutton, esq., A.T., had, during more than twenty years, before 1855, enjoyed the lessee's interest in eight leases of the lands and town of Baldoye. He had resided in the town until about the year 1851. He was a most considerate landlord, and never resorted to eviction to increase his rental by removal of occupants to the poor-house.

Mr. Hutton had for many years appointed the late Mr. Pat Buttery as collector of his rents of the town of Baldoye. Mr. Buttery subsequently became and continued Mr. Hutton's collector or under-tenant, until expiration of the leases in September, 1855, when Mr. Morgan, on part of the Corporation, received formal possession of each separate tenant on the lands and in the town of Baldoye.

The town of Baldoye then consisted chiefly of

thatched mud-cabins and huts of the most wretched description; and although almost every such dwelling contained two or more half-naked and half-fed children of fishermen or sailors employed on board of colliers, it was quite evident that the very poorest of the poor residents shared their own very miserable means to preserve the more destitute children from actual starvation.

Yet, notwithstanding such poverty, not an habitual beggar, vagrant, or loose character, was found resident amongst them.

Twenty-three tenements in the town of Baldoye are now held under leases, or agreements for leases, for thirty-one years from September, 1856, producing an aggregate yearly rent of £294.

The remaining portion of the town consists of 110

to 150 tenements, chiefly small cabins, held quarterly, monthly, or weekly, the rents of which were collected for the Corporation direct, and paid in to the City Treasurer quarterly by the late Mr. Pat Buttery, producing the net average yearly sum of £160.

Total rent from town of Ballydoyle,	£	4
Do. Leasowick, town lots, and town parks,	554	1,684
		45,173

Note.—The late Mr. Patrick Buttery died on the 11th March 1874. Committee No. 3 have appointed in his stead, Mr. John Buttery, collector.

The valuation of £2,000 per year out of the lands and town of Ballydoyle, naturally suggests to those members of the Council who had taken an active part in the acquisition and reletting of that property, that some fixed amount of annual expenditure would be necessary to improve and reconstruct the town by the erection of so many new cottages, built of stone and slated, as would sufficiently accommodate the occupants of the most miserable cabins intended to be removed in the proportion of ten new slated stone cottages to be erected instead of twenty mud cabins to be removed. It was also recommended to prevent the habitual flooding of part of the lands adjoining Kibbansack, by construction of a new road, and of a proper sewer or culvert for effectual drainage of that part of the Corporation land which became frequently flooded.

Upon the recommendation and report of the Committee then charged with the management of the Corporation land, it was ordered by the Council in 1857, that an annual sum, not exceeding £600, should be expended out of the rents of the lands and town of Ballydoyle, upon building suitable cottages, construction of the new road and sewer, and other improvements there.

The actual expenditure of the Corporation in building or improvements during the same interval was not continued progressively, according to the resolution of 1857, as will appear by the following particulars, viz:—

1857 to 1858.	Paid for erection of twelve cottages,	£	560
1858 to 1859.	Do. do. do.	1,035	
1859 to 1861.	Paid for construction of new road and sewer,	1,156	
1861 to 1865.	Paid for construction of walls and dykes, &c.	88	
1865 to 1866.	Paid for repairs and repairs,	88	
	Total expenditure,	4,500	

REPORT OF No. 3 COMMITTEE.

To the Right Hon. the LORD MAYOR, ALDERMEN, and BURGESSES of DUBLIN.

Your committee beg leave to report that they have had under their consideration the proposal of Miss Frances Gerty for A. H. 80, lands of Ringwood, containing about ninety statute acres, on lease for thirty-one years from 25th March inst., at the yearly rent of £214.

The following is a copy of Miss Gerty's proposal:—

To CORPORATION COMMITTEE No. 3.—To the Right Honorable the LORD MAYOR, ALDERMEN, and BURGESSES of DUBLIN, the MUNICIPAL CORPORATION of the CITY of DUBLIN.

LORD MAYOR AND COUNTEILS.—Whereas you have been pleased to accept the proposal of Edward Gerty, of Lower Baggot-street, in the city of Dublin, and 22nd-road, Rathgar, county of Dublin, for the farm and lands of Ringwood, in said county, for a renewal of the lease under which he holds the same, for a term of thirty-one years from the 25th March inst., at the yearly rent of £214. And whereas the said Edward Gerty departed this life on the 24th ult., having previously made his will, whereby he gave, devised, and bequeathed all his property, of every nature and kind, which he should die possessed of or be entitled to, to me, Frances Gerty, his daughter and only child,

It will appear by the late Mr. P. Buttery's accounts that there has been no loss of rent on any of the new cottages since their erection, and that the annual rents reserved for those so erected have realized £0 or £6 per cent. on the expenditure.

I have in several Reports to Committee No. 3 repeatedly urged upon their consideration the pressing necessity for an annual expenditure in the erection of new cottages and removal of decayed cabins in Ballydoyle; but I regret to state that the question of such expenditure has been considered and discussed upon its probable results as a remunerative investment, irrespective of any obligation on part of the Corporation as owners to remove the dwellings falling into natural decay, and preserve the proper means of shelter for the inhabitants. In my latest Report on Ballydoyle to Committee No. 3 (7th March, 1874), I felt bound to call particular attention to new devastation caused by the severe storms within the previous month. I regret to state that no remedial action has yet been taken.

The erection of proper laborers' dwellings is not only authorized but favoured by existing legislation; and I firmly believe that the judicious outlay of £2,000 at Ballydoyle within the next two years in such dwellings would prove fairly remunerative in rent, and present material inducements to purchasers, in case the Corporation shall determine to act upon the recommendation contained in my printed Report of 25th May, 1872, for the sale in small lots in perpetuity, rent free, of all the Corporation lands in the county of Dublin, including the lands and town of Ballydoyle, the proceeds to be applied in payment of City Debentures.

Having lately attended a Committee, at which Sir John Gray, B.T., the Chairman of the Waterworks Committee, was present, when the subject of a supply of Varty water to the town of Ballydoyle was casually mentioned, I now recur to that subject in order that he, being also Chairman of this Committee, may consider and advise whether such a water supply is practicable as an engineering project and financially.

I have also to mention that I have very recently learned that a late natural alteration in the tidal currents of the estuary, which ebb and flow by the town of Ballydoyle, is believed very likely to prove encouraging to the cultivation of oysters on that part of the beach which belongs to the Corporation.

FRANCIS GERTY, ESQ.

7th April, 1874.

Report of No. 3 Committee.

for my own sole and absolute use and benefit, and thereby appointed me sole executrix of his will.

Now I, the said Frances Gerty, do hereby propose and agree to become your tenant for said farm and lands in lieu of my said father deceased, for a term of thirty-one years from 25th March instant, subject to said annual rent of £214; and I hereby propose and undertake, at my own cost and charges, to execute such lease, to be prepared by your law agent, same to contain the usual covenants in your leases of similar character, and to pay the last year's rent in advance, and in other respects to comply with the conditions usually required from your tenants.

I am, gentlemen, your obedient servant,

FRANCIS GERTY.

Dated 1st March, 1877.

Present—John W. Lane,

4, Garristown-avenue, Rathgar, Solicitor.

Your committee now forward herewith for your consideration and approval a memorial to the Lords Commissioners of His Majesty's Treasury, praying that their lordships may be pleased to appoint a competent and sworn valuator to fix the annual amount of rent, pursuant to the amended 55th Corporation By-law.

All which we submit as our report this 17th day of March, 1877.

IGNATIUS J. KENNEDY, CHAIRMAN.

Ann. No. 15.
Dublin,
Statement of
Facts.

RE THE TOWN CLERK.—STATEMENT OF FACTS drawn up by COMMITTEE of the WHOLE HOUSE, in pursuance of Order of Council of 23rd March, 1877, pursuant to the following Order of Council:

"Refer to a Committee of the Whole House, to be summoned forthwith, to report on the facts of the case without recommendation, to a Special Meeting of Council to be summoned for the purpose."

To the RIGHT HONORABLE THE LORD MAYOR,
ALDERMEN, and BURGESSSES OF DUBLIN.

Your committee beg to report that an account, amounting to £106 18s. 3d., for works executed by Committee No. 1, for the London and North-Western Railway Company, was presented by the secretary for payment, in a letter dated 27th November, 1876, in which it was requested that the money be paid "to the city treasurer." On the 28th December the money was again applied for in a letter again requesting that it be paid "to the city treasurer." In consequence of instructions received early in February Mr. Monahan, overseer under No. 1 Committee, called, by direction of the secretary, on Mr. Pownall, of the London and North-Western Railway Company, at the Company's office, at the North Wall, to examine the matter. Some time afterwards, viz., on Monday, the 12th inst., Mr. Pownall called on the Secretary to No. 1 Committee, and stated that the money had been paid, and receipt received. The Secretary requested a copy of the receipt, and was sent the following by Mr. Pownall on the same day.

London and North-Western Railway,
Engineer's Office, North Wall,
March 12th, 1877.

DEAR SIR,—Referring to conversation I had with you this morning, enclosed is copy of receipt for the paving done by the Corporation for their Company.

You will see that the draft bears date not far back as January 11th, and that it was presented for payment a month subsequently.

I am, yours faithfully,

C. A. W. POWNALL.

J. Beveridge, esq., City Hall.

London and North-Western Railway,
Engine Station,
January 11th, 1877.
The Royal Bank of Ireland.

Pay to the Corporation of Dublin the sum named below, on the receipt being presented, duly stamped, signed, and dated.

F. HANLEY, Assistant Secretary.

Received of the London and North-Western Railway Company the sum of £106 18s. 3d.

For the Corporation,

W. J. HENRY, Town Clerk.
26th February, 1877.

£106 18s. 3d.
P 220

The next day, viz., the 15th inst., on receipt of this letter the secretary to No. 1 Committee saw the town clerk, and handed him Mr. Pownall's letter, and called upon him to lodge the money to the credit of the improvement fund, on or before the succeeding Thursday, the 15th inst., so that it might appear in the financial statement of the succeeding Saturday, when the committee was to meet, which the town clerk undertook to do. As a matter of fact the money was lodged on the Saturday referred to, viz., the 17th inst., and did appear on the financial statement submitted to the committee. On that day the committee met, and the secretary reported the facts in the following letter:—

Corporation of Dublin,
Secretary's Office, City Hall,
Committee No. 1.
Dublin, 17th day of March, 1877.

GENTLEMEN.—On the 20th November last an account, amounting to £106 18s. 3d., for works executed by you for the London and North-Western Railway Company, was laid before you, and you instructed me to forward it for payment. I did so on 27th November, and again applied for the money on 28th December. Early last month I told Mr. Monahan to call on Mr. Pownall, when, next at the North Wall, and examine the matter;

and on Monday Mr. Pownall came here and said it had been paid, and a receipt given. I asked for a copy of the receipt, and he forwarded it with the accompanying letter. The will please find in the financial statement that the money has been lodged.

I am, gentlemen, your obedient servant,

J. BEVERIDGE, Secretary.

To the Chairman and Gentlemen of
No. 1 Committee.

The committee thereupon had Mr. Henry before them, and subsequently ordered that he report in writing, which he accordingly did, as follows:—

Town Clerk's Office, City Hall,

Dublin, 23rd March, 1877.

GENTLEMEN,—In reply to your resolution of the 17th instant, forwarded by your Secretary to me for my explanation as reported in writing, and for the production of certain correspondence with the London and North-Western Railway Company, I have to report that on or about the 12th January, 1877, I received a cheque from the London and North-Western Railway Company for the paving done for them by the Corporation. The cheque, ending in my drawing from office, through Messrs. Messers, is on deposit in the City Hall for some time, and was I went my obligation to me. However I subsequently cashed it at the Royal Bank, and gave a receipt for the amount, signed with my name, as follows:—"For the Corporation, W. J. Henry, Town Clerk," and after some delay, which I will not attempt to excuse, I lodged the amount of the said cheque to the credit of the proper fund, viz., "The Improvement Fund."

I have had no correspondence whatsoever from or with the London and North-Western Railway Company or their Secretary on the subject.

I have the honour to remain, gentlemen,

Your obedient servant,

W. J. HENRY, Town Clerk.

To the Chairman and Gentlemen of
No. 1 Committee of the Corporation.

By order of the committee the secretary applied to the London and North-Western Railway Company for copies of any correspondence between them and the town clerk on the subject, and the following was received in reply:—

London and North-Western Railway,
Secretary's Office, Engine Station,
London, N.W., 21st March, 1877.

SIR,—I have to acknowledge receipt of your letter of the 17th instant, and in reply to inform you that the Company have had no correspondence with the Town Clerk of Dublin in reference to the cheque for £106 18s. 3d., which was made payable and addressed to the Corporation of Dublin, City Hall, Dublin, and the receipt is signed for the Corporation of Dublin, W. J. Henry, Town Clerk, 9th February, 1877.

I am, Sir, faithfully yours,

F. HANLEY, Assistant Secretary.

J. Beveridge, esq., Secretary's Office,
Corporation of Dublin,
Dublin.

Your committee have since had both the secretary to No. 1 Committee and the town clerk before them, and have ascertained that the cheque was received by the town clerk on the 12th January; that he cashed it in the Royal Bank, on the 9th February, as the receipt attached thereto, and given above, indicates; and that, as also stated above, he lodged the money to credit of the improvement fund in the Bank of Ireland, by receivable order, on March 17th.

All which we submit as our report, this 26th day of March, 1877.

(Signed) JAMES W. MACKENZIE, Chairman.

**DISTRIBUTIVE STATEMENT of the SERVICE EXPENDITURE of No. 1 COMMITTEE, for Year ended
31st December, 1876.**

Ann. No. 12.
Detail.
Expenditure of
No. 1 Com-
mittee.

BOATBUILDING AND WATERING.			£	s.	d.	£	s.	d.	£	s.	d.
Labour—Weekly Wages,						5,434	17	6			
Implement and Repairs,						335	6	7			
Proportion of Rents of Depots,						461	1	8			
Delivery Hoses,			106	17	6						
Proportion of Gas Accounts—Lighting Depots,				24	16	6					
Cutting Mud to Depots,				39	17	1					
Repairs of Inspector's Crocuden,				7	19	0					
Water to repair "Tip" at Island Bridge Depot,				13	10	0					
Repairs of Stand Pipes,				8	11	6					
Repairs of Gossowicks, Hydrants, &c.,				55	8	0					
						216	19	7			
						6,443	5	5			
Proportion of Horses and Carts Account,						6,200	8	6			
						13,348	13	11			
Deduct for Scavenging Cattle Market, from 1st September, 1875, to 30th October, 1876,			69	11	11						
Deduct for Scavenging of Asphalting, Grafton-st.,				37	0	0					
Deduct for Sales of Street Sweepings,			196	18	7						
						303	5	6			
						13,045	8	5			
MACADAMIZING.											
Labour—Weekly Wages,						1,650	9	1			
Materials—Heavy, Green and Black Stones, Shingle, Pebble, &c.,						10,488	12	3			
Materials from New Paving Works in Sheriff and Francis Streets, Timber, Lime, &c., used in building Depot-keeper's House in North Brunswick-street, and in general repairs in Depots,						434	10	0			
Repairs of Boundary-road, Kilmannham—One year,						117	0	4			
Do, do, Clonliffe—One year,						30	0	0			
Proportion of Gas Accounts—Lighting Depots,						30	0	0			
Verdict in Case of Greens v. the Corporation,			209	0	0						
Costs of Plaintiff and of Waterworks Committee in connec- tion with same,			100	9	9						
Amount for Compensation, &c., in Settlement of Actions,			21	2	6						
						321	12	3			
Implement, and Repairs of same, Repairs of Weigh-bridges, &c.,						40	15	11			
House-lane (Contractors),						13	19	0			
						13,142	7	10			
Proportion of Horses and Carts Account,						144	4	10			
						13,286	12	8			
Deduct for Gas and Water Openings,			301	9	7						
Do. Sewer Openings,			92	1	3						
						393	10	10			
						12,893	1	10			
PAVING—GENERAL—(Presentment, &c.)											
Labour—Weekly Wages,						3,766	19	5			
Materials, Sets, Churns, Pebble, &c.,						3,312	15	4			
Do. do, do, (for Presentment Works not yet com- menced,						887	10	0			
Proportion of Rents of Depots,						20	15	0			
Implement and General Repairs,						50	0	6			
Paraffin Oil, Lanterns, and Repairs of same, &c.,						26	3	10			
Amount paid for Compensation, &c., in Settlement of Actions, Home-kill, &c. (Sundry Contractors),						36	0	8			
						24	6	4			
						7,024	9	1			
Proportion of Horses and Carts Account,						681	18	4			
						7,706	7	5			
Deduct for Gas and Water Openings,			371	15	7						
Do. Sewer Openings,			330	1	3						
Do. Sets, &c., sold to Tramway Company,			14	15	7						
Do. Amount lodged for Sundry Works,			46	14	6						
Do. Amount charged to Instalment of Loan of £50,000, for Supervision of New Works, Wear and Tear of Implements, &c., as per Ledgers,			538	19	3						
						1,361	15	1			
						9,068	2	6			
						6,344	12	4			
Carried forward,						32,383	2	7			

Ann. No. 15.

DISTRIBUTIVE STATEMENT of the SERVICE EXPENDITURE of No. 1 COMMITTEE, for Year ended
31st December, 1876—continued.Details
Expenditure of
No. 1 Com-
mittee.

	£	s.	d.	£	s.	d.
Brought forward,				32,383	2	7
PAVING—SPECIAL. Works commenced under Loan.						
Labour—Weekly Wages,	2,675	18	8			
Materials,—Sods, Churns, Pebbles, Sand, Lime, &c.,	12,397	3	7			
Commission,	250	0	0			
Commission charged by Bank of Ireland for Cashing Drafts on London,	10	0	0			
Horse-hire (Sundry Contractors),	650	4	1			
Sundries,	3	0	6			
	17,003	6	8			
Proportion of Horses and Carts Accounts,	805	1	0			
	17,809	7	8			
Deduct for Sods lent on security to W. L. Barrington,	650	0	0			
	17,159	7	8			
Sods returned by W. L. Barrington,	432	8	9			
Amount charged to Instalment of Loan of £50,000, for Supervision of New Works, Wear and Tear of Implements, &c., as per Ledger,	598	12	2			
	18,240	8	7			
Deduct for excavated Material used on Macadamizing Works,	434	10	0			
				17,506	18	7
ASPHALTE PAVING.						
Asphalting Carriage-way of Mary-street,	1,895	13	4			
Do. Crossing, Hawkins'-street,	70	18	4			
Sand for Carriage-ways,	8	6	11			
The Val de Travers and the Linmer Asphaltic Companies, one year's Rent—charge on Grafton-street and Henry-street Contracts,	224	8	9			
Interest on paid Instalments on above,	43	11	3			
	2,318	18	7			
Deduct amount contributed by Residents, Mary-street, towards cost of Asphalting Carriage-way of that street,	700	0	0			
				1,618	18	7
FOOTWAYS.						
Labour—Weekly Wages,	2,724	18	9			
Material—Granite Flags, Kerbstones, Lime, Sand, &c.,	1,633	0	7			
Stop-rock Covers, &c.,	55	6	8			
Implements, Oils, Lanterns, and repairs of same, &c.,	77	15	1			
Horse-hire, Sundry Contractors,	6	10	6			
Sundries,	5	6	2			
	4,505	17	9			
Proportion of Horses and Carts Account,	375	2	4			
	4,884	0	1			
Deduct for Gas and Water Openings,	78	10	3			
Do. Sewer Openings,	4	13	4			
Do. Work executed for L. & N. W. Railway Company at North Wall,	106	18	3			
Do. Amount lodged for Works by sundry persons,	5	13	8			
	193	15	8			
Asphalting Footpaths—15,000 yards, at 5s. per yard,	3,750	0	0			
Interest on two Bonds of £635 each,	62	10	0			
Tar pavement laid on Footpaths,	912	5	7			
				9,415	0	2
PUBLIC LIGHTING.						
Labour—Wages of Lamp-lighters,	1,227	6	6			
Gas, &c., supplied by the Alliance and Consumers' Gas Company, as per Contract,	7,548	17	1			
Account for Lighting Testing Office, Hanover-street,	4	14	9			
Rent of Testing Office,	18	0	0			
Register Papers,	9	9	0			
Tar-chests, Tanks, &c.,	10	2	8			
Indian Rubber Taping, General Repairs, &c.,	32	11	10			
	70	3	7			
Re-adjusting of Standard Gas Holders,	210	0	0			
				61,122	19	11
Carried forward,						

DISBURSIVE STATEMENT of the SERVICE EXPENDITURE of No. 1 COMMITTEE, for Year ended
31st December, 1876—continued.

Acct. No. 15.

Dublin
Expenditure of
No. 1 Com-
mittee.

	£	s.	d.	£	s.	d.	£	s.	d.
Brought forward,							61,122	19	11
Travelling Expenses in connexion with Verification of									
Standard Gas Measures,	13	17	8						
Ladders and Repairs of same,	6	4	10						
Painting Work at Testing Office,	9	5	10						
Sundry petty Expenditure,	12	8	5						
				41	16	10			
Wages of Testing Office Porter,				52	0	0			
				9,185	16	9			
Salary of Gas Inspector and Tester of Meters,				296	11	3			
				9,482	10	0			
Deduct amount of Fees for Testing Meters, lodged within the year to credit of Improvement Fund,				196	18	0			
							9,285	12	0
HOUSE-DRAINS, &c.									
Labour—Weekly Wages,				577	10	11			
Materials, Socket Pipes, Junctions, &c.,				325	8	10			
				903	14	9			
Proportion of Horses and Carts Account,				88	4	0			
							991	18	9
DOMESTIC SCAVENGING.									
Labour—Weekly Wages—North,	66	18	6						
Do, do, South,	144	2	6						
				210	16	0			
Buckets, Baskets, &c.,				10	4	9			
				221	0	9			
Proportion of Horses and Carts Account,				252	15	2			
				473	15	11			
Deduct amount Chargeable to sundry Debtors Account,				12	19	0			
							460	16	11
WHITEHOUSE-YARD.									
Labour—Weekly Wages,				349	10	10			
Rates and Taxes,				26	17	9			
Proportion of Gas Accounts,				12	2	8			
Miscellaneous Expenditure,				1	10	8			
				389	1	10			
Deduct—For Proportion of Taxes Chargeable to the Waterworks Committee,				17	5	2			
							371	16	8
MISCELLANEOUS.									
Lamps erected at Gortran Station,				120	0	0			
Wages of Step Sweeper,	26	0	0						
Labels for Lamp-posts,	19	18	9						
Alterations to Tree-guards in Backwell-street,	12	7	0						
Accountants' Fees,	32	6	0						
Repairs and Painting of Railings, North Circular-road,	17	10	8						
Livery, &c., for Messenger,	7	6	0						
Street Labels, &c.,	9	14	5						
				126	9	8			
				245	2	8			
Proportion of Horses and Carts Account,				2	9	0			
							247	11	8
URINALS.									
The Waterworks Committee, for Repairs of Urinals,				97	17	1			
Piping, Tubing, and General Repairs,				28	15	4			
Delivery Hoses, Brushes, &c.,				12	15	3			
							139	7	8
PARLIAMENTARY COSTS AND LAW CHARGES.									
Amount advanced to Law Agent out of Borough Fund, to meet Expenses in connexion with Opposition to the South City Markets Bill,	150	0	0						
Re-lodged by Law Agent to Credit of Borough Fund,	61	19	9						
				88	0	8			
Taxed Costs of Parliamentary Opposition (1875) to North Dublin Street Tramways Bill,	33	4	8						
Taxed Costs of Parliamentary Opposition (1875) to South Dublin Railway Bill,	40	8	0						
				33	12	8			
Carried forward,							72,580	3	7
							3	0	

374 LOCAL GOVERNMENT AND TAXATION INQUIRY COMMISSION (IRELAND).

Ann. No. 15.

Dublin,
Expenditure of
No. 1 Com-
mittee.

DISTRIBUTIVE STATEMENT of the SERVICE EXPENDITURE of No. 1 COMMITTEE, for Year ended
31st December, 1876—continued.

	£ s. d.	£ s. d.	£ s. d.
Brought forward,			72,589 3 7
Law Agent's Costs out of Pocket, Services of Notices re Disputed Buildings, and Hayricks, and Miscellaneous Office Expenditure, as per Monthly Accounts,	58 10 2		
Deduct Costs received from Sundries,	2 17 6		
		55 12 8	
Deduct—Costs re North Dublin Street Tramways Bill and South Dublin Railway Bill, as guaranteed by the Promoters,		217 5 7	
		73 12 8	143 12 11
DANGEROUS BUILDINGS AND PLACES AND MISCELLANEOUS WORKS.			
Labour—Weekly Wages,		536 11 3	
Proportion of Horses and Carts Account,		45 6 6	581 17 9
SICK FUND.			
Weekly Payments,		63 2 4	63 2 4
SALARIES.			
Office Staff, Street Inspectors, City Treasurer's Assistant, City Engineer, and Messenger,		1,385 14 11	1,385 14 11
REPAYMENTS OF BALANCES OF DEPOSITS ON LICENCES.			
Weekly Payments,		1,493 11 4	1,493 11 4
NORTH SEWERS.			
Labour—Weekly Wages,		2,056 1 5	
Materials—Socket Pipes, Junctions, &c.,	127 5 8		
Sand,	52 5 6		
Cement,	132 6 0		
Lime,	41 11 1		
Bricks,	490 19 6		
Kilkenny Flags,	31 7 0		
Black Stone and Pebble,	16 9 0		
		592 3 9	
Tide-gates, Gully Traps, Gratings, &c.,	244 15 7		
Repairs of Tide-gates,	37 10 0		
Horse-hire—Sundry Contractors,	18 2 3		
Proportion of Stationery Accounts,	37 8 0		
Oils, Lanterns, and Repairs of same, &c.,	46 11 6		
Boots,	8 15 0		
Plumbing Work,	4 1 10		
Implement,	18 19 4		
Timber,	18 11 4		
Proportion of Taxes on Depots, Advertising, and Sundry Expenditure,	19 19 7		
Proportion of Rents of Depots,	21 5 0		
Sick Fund,	35 19 4		
		507 19 9	
Proportion of Salaries of City Engineer, Assistant to same, and Sewer Inspector,		239 16 0	
Amount lodged to Credit of Improvement Fund for Hire of Horses, Carts, &c., employed at North-Sewer Works within the year,	592 9 4	3,705 16 11	
Expenses incidental to Repairs of Openings made in sundry Streets within the Year, as per Subsistence Account Book,	178 7 3		
		570 16 7	4,277 12 6
SOUTH SEWERS.			
Labour—Weekly Wages,		1,512 9 8	
Materials, Socket Pipes, Junctions, &c.,	80 1 4		
Sand,	35 15 8		
Cement,	128 6 6		
Lime,	49 7 8		
Bricks,	201 0 0		
Kilkenny Flags,	47 8 9		
Stones,	16 4 0		
		568 3 9	
Tide-gates, Gully-traps, Gratings, &c.,	115 6 0		
Oils, Lanterns, and Repairs of same, &c.,	51 17 3		
Proportion of Stationery Accounts,	37 8 0		
Boots,	8 15 0		
Plumbing Work,	4 5 11		
Carried forward,			50,545 16 4

DISTRIBUTIVE STATEMENT of the SERVICE EXPENDITURE of No. 1 COMMITTEE for Year ended 31st December, 1876—continued.

APP. No. 15.
Deductions.
Expenditure of
No. 1 Committee.

	£	s.	d.	£	s.	d.	£	s.	d.		
Brought forward,							50,545	16	4		
Supervision of Piddle River,	18	4	0								
Horse-hire—sundry Contractors,	60	15	0								
Implement,	18	19	6								
Timber,	21	13	4								
Proportion of Taxes on Depots, Advertising, and Sundry Expenditure,	36	6	0								
Repairs of Tide-gates,	37	10	0								
				412	19	0					
Proportion of Rents of Depots,	21	5	0								
Sick Fund,	20	6	4								
Proportion of Salaries of City Engineer, Assistant to same, and Sewer Inspector,	339	16	0				281	7	4		
							3,764	19	9		
Amount Lodged to Credit of Improvement Fund for Hire of Harrow, Carts, &c., employed at South Sewer Works within the year,	355	14	4								
Expenses incidental to Repairs of Openings made in sandy Streets within the year, as per Subsistence Account Book,	248	8	7				604	2	11		
							3,269	2	8		
Deduct Amount Chargeable to the Alliance Gas Company for their Proportion of Allowance to Widows Mulligan and Collins, as per Agreement, July, 1870,							163	11	0		
									3,206	11	8
STATIONERY AND ADVERTISING.											
Stationery,				929	7	9					
Advertising, &c.,				27	7	9					
							249	15	6		
REPAYMENT OF LOAN.											
First Instalment of Loan of £20,000 taken up October, 1875,				1,000	0	0					
							1,000	0	0		
EXPENSES INCIDENTAL TO LOAN.											
One Year's Interest on First Instalment of Loan of £20,000 for Special Paving Works,				800	12	6					
Deduct for Interest which Accrued on Deposit Notes to time of their Withdrawal,				204	16	10					
							635	15	8		
Total Expenditure for Year 1876,				—	—	—	85,627	19	2		

J. BEVERIDGE,
Secretary, No. 1 Committee.J. P. KERRIGAN,
Book-keeper, No. 1 Committee.

SUMMARY of HORSES, STABLES, and CARTS ACCOUNTS, and DISTRIBUTIVE STATEMENT, for Year ended 31st December, 1876.

HORSES AND STABLES.				£	s.	d.	£	s.	d.
Labour—Wages of Carters,				3,223	11	4			
Do. Wages of Overseers, Stablemen, &c.,				531	19	11			
Forage,				2,487	9	7			
Horses purchased,				563	0	0			
Veterinary charges,				377	7	0			
Harness, and Repairs of same,				217	19	5			
Proportion of Rent of Stables in Depots,				65	5	0			
Do. Gas Accounts,				44	14	0			
Coals,				56	2	6			
Clipping Horses,				7	12	0			
Stable Fittings, Repairs, &c.,				26	2	10			
Insurance,				6	12	9			
Deduct for Horse-hire charged to Sandries,							8,724	16	4
							85	0	6
									8,661 15 10
CARTS, &c.									
Labour—Wages of Carpenters, Cartmakers, Smiths, &c.,							530	15	4
Wheels, Shafts, &c.,							304	5	0
Iron, Steel, &c.,							206	11	2
Timber,							185	1	10
Freight of Wheels, &c.,							90	2	0
Paints, Oils, &c.,							112	11	11
Coals, £13 2s. 6d.; Bolts, Nuts, &c., £29 10s. 1d.; and Leather, £31 13s. 1d.,									
				64	5	8			
Sundries,				19	4	7			
							76	10	3
									1,385 17 6
Total,							—	£	16,047 13 4
									302 8

376 LOCAL GOVERNMENT AND TAXATION INQUIRY COMMISSION (IRELAND).

Ann No. 15. SUMMARY of HORSES, STABLES, and CARTS ACCOUNTS, and DISTRIBUTIVE STATEMENT, for Year ended 31st December, 1876—continued.

Duties.
Expenditure of
No. 1 Com-
mission.

Distributed as under:—

	£	s	d.	£	s	d.	£	s	d.
Scavenging and Watering,	6,500	8	6						
Domestic Scavenging,	332	15	3						
Macadamizing,	144	6	10						
Flagging,	578	3	4						
Paving, General,	681	18	4						
Do., Special,	806	1	0						
Horse-drives,	68	4	0						
Dangerous Buildings, &c.,	45	6	6						
Miscellaneous,	3	9	0						
North Sewers,	392	9	4						
South Sewers,	355	14	4						

No. of Days Worked by Horses, 24,378.

Average cost of Horse, Man, and Cart, per day, nearly 2s. 3d.

J. REVENGE,

Secretary, No. 1 Committee.

J. P. KERRIGAN,

Book-keeper, No. 1 Committee.

MACADAMIZING.—RETURN showing the Quantities, Prices, and Cost of the several Descriptions of Material supplied to No. 1 Committee of the Corporation, within the Year ended 31st December, 1876.

1876.	BRAY STONE.		BROCKHAMPTON GREEN STONE.					BROOKLYN PLANK STONE.							
	Ta.	Gr. St.	Gr. St.	Gr. St.	Gr. St.	Gr.	Gr.	Gr. St.	Gr. St.	Gr.	Gr. St.	Gr. St.	Gr. St.	Gr. St.	Gr. St.
January,	—	320 1/2	566 1/2	99 1/2	—	387 1/2	—	505 1/2	568 1/2	232 1/2	—	—	—	—	35
February,	22 1/2	324 1/2	561 1/2	—	358 1/2	174 1/2	336 1/2	236 1/2	540 1/2	133 1/2	—	—	—	23 1/2	62 1/2
March,	161 1/2	463	566 1/2	—	413 1/2	—	1,635 1/2	—	—	—	75	119	43	—	—
April,	695 1/2	553 1/2	553 1/2	—	540 1/2	—	1,435 1/2	—	—	—	—	167	—	—	—
May,	385 1/2	568 1/2	531 1/2	—	435 1/2	—	3,125	—	—	—	—	113	—	—	—
June,	—	319	553 1/2	—	441	—	1,827	—	—	—	—	—	—	—	—
July,	—	354 1/2	543 1/2	—	506 1/2	—	1,689 1/2	—	—	—	—	—	—	—	—
August,	—	—	556 1/2	—	543 1/2	—	1,465	—	—	79 1/2	—	—	—	—	—
September,	—	—	557 1/2	—	379 1/2	—	1,699 1/2	—	—	—	—	—	—	—	—
October,	—	—	617 1/2	—	601 1/2	—	2,610 1/2	—	—	—	—	—	—	—	—
November,	551 1/2	553 1/2	556 1/2	—	413 1/2	—	2,414 1/2	—	—	—	—	—	—	—	—
December,	118 1/2	557 1/2	584 1/2	—	408	—	2,539 1/2	—	—	—	—	—	—	—	—
Total,	1,135 1/2	5,232 1/2	5,512 1/2	97 1/2	4,074 1/2	522 1/2	19,540 1/2	79 1/2	900 1/2	425 1/2	78 1/2	231	206	103 1/2	

1876.	PRICES.		QUANTITIES.		Total Monthly Quantity.	SUMMARY.				
	Gr. St.	Gr.	Gr. St.	Gr.		Material.	Quantity.	Rate per Ton.	Amount.	Total.
January,	202 1/2	582 1/2	—	809 1/2	2,700 1/2	Best Green Stone,	1,156 1/2	7 6	397 2 10	
February,	297 1/2	330 1/2	—	675	4,116 1/2	" "	5,232 1/2	6 3	1,074 10 4	1,473 19 2
March,	100 1/2	100 1/2	—	202 1/2	4,207 1/2	Scallopstone	5,612 1/2	3 5	1,271 5 7	
April,	62 1/2	45 1/2	10 1/2	438 1/2	5,232 1/2	" "	32 1/2	6 4	39 5 9	
May,	321 1/2	41 1/2	—	453 1/2	4,433 1/2	" "	4,674 1/2	6 5	1,273 5 7	
June,	368 1/2	72 1/2	401 1/2	47 1/2	5,519 1/2	" "	522 1/2	8 0	186 13 10	5,700 16 2
July,	33 1/2	25 1/2	308 1/2	116	2,864 1/2	Broken Block	10,540 1/2	4 2	4,183 8 8	
August,	—	26 1/2	516 1/2	106 1/2	2,433 1/2	" "	704 1/2	4 2	145 13 8	
September,	65 1/2	45 1/2	408	206 1/2	2,235 1/2	" "	300 1/2	4 0	121 16 7	
October,	203 1/2	151 1/2	484 1/2	375 1/2	4,049 1/2	" "	455 1/2	3 10	37 5 11	
November,	362 1/2	53 1/2	319 1/2	233 1/2	4,597 1/2	" "	745 1/2	3 4	130 16 0	
December,	274 1/2	53 1/2	187 1/2	243 1/2	4,129 1/2	" "	500	3 5	66 13 11	
Total,	1,532 1/2	1,513 1/2	2,866 1/2	4,123 1/2	43,015	" "	108 1/2	3 3	13 27 4	4,517 11 6
						Publics,	1,862 1/2	3 3	225 4 4	
						" "	1,527 1/2	4 0	307 13 10	479 18 2
						Road Shingles,	2,500 1/2	2 3	455 1 9	
						" "	1,235 1/2	2 0	615 10 6	1,073 11 5
						Total, 46,063				32,873 14 5
										55 5 6
										Net Cost, 433,463 15 8

J. P. KERRIGAN, Book-keeper, No. 1 Committee.

378 LOCAL GOVERNMENT AND TAXATION INQUIRY COMMISSION (IRELAND).

Acc. No. 15.

Dublin, 3rd 1872.
Eight Years' Accounts of Improvement Fund

RETURN showing the RECEIPTS and EXPENDITURE of the IMPROVEMENT FUND of the CORPORATION

Da.	RECEIPTS.			THE IMPROVEMENT FUND of		
	£	s.	d.	£	s.	d.
YEAR ENDED 31st AUGUST, 1869.						
Balance to credit on 31st August, 1868,	—	—	—	—	—	—
Rates and Arrears lodged by the Collector-General of Rates, viz:—						1,064 16 4
Arrears of Assessments, year 1866,	38	2	9			
Ditto, ditto, 1867,	1,043	3	0			
Ditto, ditto, 1868,	23,787	0	11			
On account ditto, 1869,	25,252	16	6			
Deposit Account, Licenses and Sundries,				50,101	3	2
Wide Street Rents, Coal Duty Account,				7,122	19	1
Circular-road Turnpike Trust,				454	16	4
Markets, Smithfield, Weights and Measures, &c.,				17	10	0
				372	0	10
						58,070 9 5
YEAR ENDED 31st AUGUST, 1870.						
Rates and Arrears lodged by the Collector-General of Rates, viz:—						
Arrears of Assessments, year 1867,	54	9	5			
Ditto, ditto, 1868,	756	7	2			
Ditto, ditto, 1869,	23,261	8	5			
On account ditto, 1870,	24,827	10	1			
Deposit Account, Licenses and Sundries,				45,589	15	1
Wide Street Rents, Coal Duty Account,				4,273	14	4
Circular-road Turnpike Trust,				330	1	9
Markets, Smithfield, Weights and Measures Department,				39	12	6
				401	3	9
						55,934 7 5
YEAR ENDED 31st AUGUST, 1871.						
Rates and Arrears lodged by the Collector-General of Rates, viz:—						
Arrears of Assessments, year 1868,	39	3	5			
Ditto, ditto, 1869,	1,453	7	2			
Ditto, ditto, 1870,	24,508	9	10			
On account ditto, 1871,	25,639	10	8			
Deposit Account, Licenses and Sundries,				51,040	11	1
Wide Street Rents, Coal Duty Account,				4,751	4	5
Circular-road Turnpike Trust,				496	1	9
Markets, Smithfield, Weights and Measures Department,				26	2	6
National Bank, Advances to buy Horses,				416	9	11
Amount contributed by Bank of Ireland towards Improving College Buildings,				975	0	0
				250	0	0
						57,915 11 8
YEAR ENDED 31st AUGUST, 1872.						
Rates and Arrears lodged by the Collector-General of Rates, viz:—						
Arrears of Assessments, year 1869,	52	16	5			
Ditto, ditto, 1870,	373	16	7			
Ditto, ditto, 1871,	25,858	6	3			
On account of ditto, 1872,	25,969	5	8			
Deposit Account, Licenses and Sundries,				52,539	8	11
Wide Street Rents, Coal Duty Account,				3,831	0	11
Circular-road Turnpike Trust,				369	1	9
Markets, Smithfield, Weights and Measures Department,				19	16	9
National Bank, Advances to buy Horses,				303	9	0
Widening and Improving Streets Account, Presentments, &c.,				1,093	6	2
				1,320	15	7
						59,447 0 1
Carried forward,				—		250,422 2 11

of DUBLIN during Eight Years commencing on 1st September, 1868, and ended on 31st August, 1876. APP. No. 15.

THE CORPORATION OF DUBLIN.

CN.

Dublin,
Eight Years'
Accounts of
Improvement
Funds.

PAYMENTS.

YEAR ENDED 31st AUGUST, 1869.

General Works Account, including Paving, Macadamizing, Scavenging and Watering, Flagging, House Drains, Stairs, and Miscellaneous,	£	s.	d.
Lighting Public Lamps,	8,858	6	1
Gas Meter Department,	3	14	3
Stationery, Printing, &c.,	95	15	6
City Hall Expenses, proportion of,	196	4	2
Sanitary Department,	150	3	9
Markets, Weights and Measures Department,	744	19	3
Installments of Wide Street Debt, with Interest,	1,083	18	1
Law Expenses,	295	16	4
Parliamentary Expenses,	492	16	2
Compensation Annuities (under Dublin Improvement Act and Collection of Rates Act, 1849),	2,534	0	0
Salaries of Officers,	2,302	12	5
Repayments of Balances of Deposits for Licenses, &c.,	1,082	0	4
Wide Street Rents and Taxes,	137	0	7

55,946 3 0

YEAR ENDED 31st AUGUST, 1870.

General Works Account, viz., Paving, Macadamizing, Scavenging, Watering, &c. Repayments of Balances of Deposits for Licenses, &c., £1,063 15s. 10d.; Lighting Public Lamps, £8,000 14s. 1d.; Wide Street Rents and Taxes, and Law Expenses incident thereto, Rates, Circular-road Turnpike Trust, £5 2s. 5d.; Stationery, Printing, &c., £151 15s. 8d.; Markets, Weights and Measures Department, &c., £947 19s. 5d.; Salaries of Officers, £2,376 2s. 10d.; Sanitary Department, Urinals, &c.,	£	s.	d.
Law Expenses, £1,115 10s. 6d.; Parliamentary Costs, £57 18s. 11d.; City Hall, proportion of Expenses, £230 9s. 6d.; Installments of Wide Street Debt, with Interest, £1,359 8s. 3d.; Waking and Improving Street, £154 2s.; Compensation Annuities (under Dublin Improvement and Collection of Rates Act, 1849),	36,300	3	8
	9,954	9	11
	297	17	8
	154	18	1
	3,324	2	3
	105	4	4
	1,440	18	11
	1,935	10	3
	2,029	2	8

56,617 7 9

YEAR ENDED 31st AUGUST, 1871.

General Works Account, viz., Paving, Macadamizing, Scavenging, Watering, &c. Repayments of Balances of Deposits, £1,069 11s.; Wide Street Rents and Taxes, £64 2s. 6d.; Circular-road Turnpike Trust, Rates and Taxes, £5 10s. 7d.; Purchase of Horses, £535 3s.; Lighting the Public Lamps, &c., £7,409 9s. 7d.; Stationery, Printing, &c., £203 14s. 8d.; Smithfield Markets, Weights and Measures Department,	£	s.	d.
Sanitary Department, Urinals, &c., £180 4s.; Salaries of Officers, £2,423 12s. 10d.; Law Expenses, £150 16s. 5d.; Parliamentary Costs, £403 6s.; Repayment—two Installments, with Interest—Account Advance from Bank of Ireland,	41,737	17	5
Compensation Annuities (under Dublin Improvement and Collection of Rates Act, 1849),	1,153	13	6
City Hall, proportion of Expenses of Maintenance, &c.,	339	1	7
	7,615	4	3
	882	7	3
	2,603	16	10
	554	2	5
	310	12	9
	1,979	14	8
	232	0	4

57,626 11 0

YEAR ENDED 31st AUGUST, 1872.

General Works Account, viz., Paving, Macadamizing, Scavenging, &c. Repayments of Balances of Deposits for Licenses, &c.,	£	s.	d.
Widening and Improving Streets, Sundries, including Installments to Bank of Ireland,	37,375	14	9
Wide Street Rents, Coal Duty Account, £116 12s. 7d.; Horse Account and Expenses, £5,422 14s. 1d.; Lighting the Public Lamps, &c., and Gas Meter Department Expenses,	893	0	5
Stationery, Printing, &c., £380 7s. 9d.; Smithfield Markets, Weights and Measures, &c., £211 12s. 10d.; Sanitary Department, Urinals, &c.,	1,205	7	10
Law Expenses, £95 2s.; Parliamentary Costs, £1,600 11s.; Salaries of Officers,	5,569	6	8
Compensation Annuities (under Dublin Improvement and Collection of Rates Act, 1849),	8,043	4	5
City Hall, proportion of Expenses of Maintenance,	1,092	0	7
National Bank Installments, Account of Loan, together with Interest,	123	18	8
	1,776	13	0
	2,478	1	0
	1,753	18	0
	275	0	5
	1,044	15	10

61,323 6 1

Carried forward,

130,715 7 10

380 LOCAL GOVERNMENT AND TAXATION INQUIRY COMMISSION (IRELAND).

Acc. No. 12.

Dr.

The IMPROVEMENT FUND of the

DUBLIN.
Eight Years'
Accounts of
Improvement
Fund.

RECEIPTS.			£ s. d.			£ s. d.		
Brought forward,			—			230,425 2 11		
YEAR ENDED 31st AUGUST, 1873.								
Rate and Arrears of Rate lodged by the Collector-General of Rates, viz. :—								
Arrears of Assessment, year 1870,			60	4	11			
Ditto, ditto, 1871,			838	12	0			
Ditto, ditto, 1872,			24,765	6	6			
On account of ditto, 1873,			25,828	5	9			
Deposit Account, Licenses and Sundries,						51,408	9	2
Wide Street Rents, Coal Duty Account,						3,549	6	9
Circular-road Turnpike Trust,						381	15	0
Markets, Smithfield, Weights and Measures Department,						14	8	9
Widening and Improving Streets Account, Presentments, &c.,						336	9	8
Reconstructions,						2,906	0	0
Waterworks, Street Openings,						165	4	9
Repayment, by No. 5 Committee, of Temporary advance,						75	15	8
						1,060	0	0
YEAR ENDED 31st AUGUST, 1874.								
Rate and Arrears of Rate lodged by the Collector-General of Rates, viz. :—								
Arrears of Assessments, year 1871,			142	0	10			
Ditto, ditto, 1872,			848	3	0			
Ditto, ditto, 1873,			25,647	3	9			
On account of ditto, 1874,			26,406	7	3			
Deposit Account, Sundries, Licenses, Domestic Scavenging, &c.,						55,142	14	10
Wide Street Rents, Coal Duty Account,						3,948	6	10
Circular-road Turnpike Trust,						335	12	2
Markets, Smithfield, Weights and Measures,						18	4	4
Widening and Improvement of Streets Account, Presentments, &c.,						422	6	1
Committee No. 2, Scavenging Cattle Market,						3,160	0	6
Port and Docks, Paving Work at Quay,						61	0	0
Waterworks Committee, Street Openings Account,						624	11	2
Dividends on Purchase-money,						55	17	5
Repayment, account of Salary to Mr. Cotton,						101	19	1
Stationary Account, reconquest,						250	0	0
						0	8	6
YEAR ENDED 31st AUGUST, 1875.								
Rate and Arrears of Rate lodged by the Collector-General of Rates, viz. :—								
Arrears of Assessments, year 1870,			68	3	5			
Ditto, ditto, 1872,			128	13	0			
Ditto, ditto, 1873,			1,253	17	6			
Ditto, ditto, 1874,			25,082	6	1			
On account of ditto, 1875,			26,376	5	5			
Deposit Account, Sundries, Licenses, Domestic Scavenging, &c.,						52,909	8	5
Wide Street Rents, Coal Duty Account,						3,368	17	6
Circular-road Turnpike Trust,						446	4	6
Markets, Smithfield, &c., £355 5s. 3d.; Alliance Gas Company, Street						38	18	5
Openings Account, £1,453 9s. 9d.,						1,808	19	0
Paving Sels sold, £49 4s.; Old Iron sold, £102 1s. 3d.,						151	5	2
Waterworks, Street Openings Account, £154 12s. 8d.; Dividends on								
Purchase-money, £104 11s.,						261	3	8
Reconquest from North and South Sewers,						2,482	12	8
Cheque charged in last year's Account but not paid,						25	0	0
Widening and Improving Streets Account, Presentments, &c.,						2,310	15	0
Law Expenses Account,						11	19	11
Carried forward,								
						63,850 1 5		
						414,870 14 10		

CORPORATION OF DUBLIN—continued.

CR.

Acct. No. 15.

PAYMENTS.	£ s. d.			£ s. d.			DUBLIN. Eight Years' Accounts of Improvement Fund.
	£	s.	d.	£	s.	d.	
Brought forward,	—			330,713	7	10	
YEAR ENDED 31st AUGUST, 1873.							
General Works Account, viz., Paving, Macadamizing, Scavenging, Watering, &c.,	38,824	11	7				
Repayments of Balances of Deposits for Licenses, &c.,	825	12	2				
Wide Street Rents, Rates, &c., £93 18s. 9d.; Horse Account and Expenses, £5,308 14s. 4d.,	5,491	13	1				
Lighting the Public Lamps, and Gas Meter Department, &c.,	7,242	10	10				
Stationery, Printing, &c., £258 5s. 11d.; Markets, Southfield, Weights and Measures Department, &c., £637 9s. 6d.,	895	15	5				
Law Expenses, £107 3s. 5d.; Parliamentary Costs, £203 14s. 5d.,	1,081	0	1				
Widening and Improving Streets Account, including Installments to Bank of Ireland,	1,503	2	8				
Salaries of Officers, £3,992 2s. 5d.; City Hall, Proportion of Expenses, £314 10s. 8d.,	3,306	13	1				
Compensation Annuities (under Dublin Improvement and Collection of Rates Acts, 1849),	1,759	1	0				
National Bank, Repayment of Loan,	1,000	0	0				
No. 3 Committee, an Advance on Temporary Loan in aid of Borough Fund,	1,000	0	0				
Local Government Board (Ireland), Proportion of Audit Fee, 1872,	29	4	2				
				62,909	4	2	
YEAR ENDED 31st AUGUST, 1874.							
General Works Account, viz., Paving, Macadamizing, Scavenging, Watering, &c.,	42,194	12	0				
Horse Account and Expenses,	5,439	16	10				
Lighting the Public Lamps, &c.,	4,408	16	9				
Stationery, Printing, &c.,	307	19	1				
Southfield Market, Weights and Measures,	728	18	7				
Law Costs, £12 11s. 4d.; Parliamentary Costs, £379 5s. 3d.,	391	16	7				
Widening and Improving Streets, including Installments to Bank of Ireland,	1,170	5	11				
Salaries of Officers,	3,516	6	3				
Compensation Annuities (under Dublin Improvement and Collection of Rates Acts, 1849),	1,529	12	6				
Ditto, Proportion of Annuities under 32 and 33 Vic.,	183	6	0				
City Hall, Proportion of Expenses of Maintenance,	452	16	5				
Repayments of Balances of Deposits for Licenses, &c.,	1,041	5	8				
Domestic Scavenging Expenses,	221	10	10				
Wide Street Rents and Taxes,	24	15	6				
Local Government Board (Ireland), Balance of Proportion of Audit Fee, 1873,	0	9	10				
City Treasurer, to supplement Cheque for Wages,	33	8	5				
				60,645	17	2	
YEAR ENDED 31st AUGUST, 1875.							
General Works Account, viz., Paving, Macadamizing, Scavenging, Watering, &c.,	40,999	0	2½				
Horse Account and Expenses, £5,999 7s. 11d.; Stationery, Printing, &c., £358 4s. 4d.,	4,347	12	3				
Lighting the Public Lamps, &c.,	4,970	13	6				
Southfield Market, Weights and Measures Department,	722	17	5				
Law Costs, £30 10s. 2d.; Parliamentary Costs, £153 10s.,	244	6	2				
Widening and Improving Streets, including Installments to Bank of Ireland,	673	17	1				
Salaries of Officers,	2,266	14	8				
Compensation Annuities (under Dublin Improvement and Collection of Rates Acts, 1849),	969	9	9				
Ditto, under 32 and 33 Vic.,	409	17	5				
City Hall, Proportion of Expenses of Maintenance,	524	4	0				
Repayments of Balances of Deposits for Licenses,	1,144	12	7				
Domestic Scavenging Expenses,	346	13	6				
Wide Street Rents, Rates, &c.,	132	15	2				
Circular-road Turnpike Trust, &c.,	2	6	8				
Local Government Board (Ireland), Proportion of Audit Fee, 1873,	32	11	6				
City Weigh-house, Recoupment,	4	12	4				
Expenses for Advertising for Loan of £50,000,	3	9	0				
				61,066	13	3½	
Carried forward,	—			415,354	2	4½	

Ann. No. 15.

Dn.

The IMPROVEMENT FUND of the

Dublin.
Eight Years'
Accounts of
Improvement
Fund.

RECEIPTS.		£	s.	d.	£	s.	d.
Brought forward,		—			414,870 14 10		
YEAR ENDED 31st AUGUST, 1876.		£	s.	d.			
Rents and Arrears of Rate lodged by the Collector-General of Rates, viz. :—							
Arrears of Assessments, year 1873,	.	.	70	0	9		
Ditto, ditto, 1874,	.	.	4,357	8	1		
Ditto, ditto, 1875,	.	.	24,927	10	1		
On Account of ditto, 1876,	.	.	25,678	5	0		
					*55,019	3	11
Deposit Account, Licenses, Domestic Scavenging, &c.,	.	.	4,354	14	2		
Less Deficiency of late City Treasurer,	.	.	1,063	12	1		
					3,291	2	1
Wide Street Rents, Coal Duty Account,	.	.	.	.	381	14	6
Additional Receipts, Domestic Scavenging,	.	.	.	.	4	16	6
Circular-road Turnpike Trust,	.	.	.	.	12	5	0
Smithfield Market, Weights and Measures Department,	.	.	453	7	0		
Less Deficiency of late City Treasurer,	.	.	95	7	5		
					358	0	1
General Works Account,	.	.	.	.	19	0	0
Waterworks, Street Openings Account,	.	.	.	.	203	1	8
City Weigh-houses,	.	.	.	.	20	8	2
Paving Sails Sold, and Lent on Security,	.	.	.	.	571	1	0
Horse Hire,	.	.	.	.	125	8	0
Gas Meter Department,	.	.	.	.	47	2	0
Public Health Committee,	.	.	.	.	13	8	0
Bank of Ireland, undefined Credit,	.	.	.	.	1	6	0
Surcharge of Auditor,	.	.	.	.	17	6	1
North and South Sewers, Horse Hire and Carters' Wages,	.	.	.	.	383	7	4
St. Sepulchre's Weigh-house,	.	.	.	.	1	6	3
Law Expenses Account, Recoverments,	.	.	.	.	7	9	2
Widening and Improving Street Account, Presentments, &c.,	.	.	.	.	1,695	12	0
Dublin Castle Market, Scavenging Account,	.	.	.	.	101	13	4
Interest on Deposit Notes,	.	.	.	.	204	16	10
Deficiency of Nephew Robinson, late City Treasurer,	.	.	.	.	127	15	5
Loss from Law Life Assurance Society for special Paving Purposes,	.	.	.	.	20,000	0	0
					82,517	3	4
					£ 497,587	18	2

* Including £2,120 14s., being proportion of amount of Treasury Contribution in aid of Local Rates, for the year ended 25th March, 1875.

Report of
Francis
Morgan, &c.

REPORT OF FRANCIS MORGAN, Law and Land Agent.

27th March, 1875.

To the CHAIRMAN and GENTLEMEN of COMMITTEE
No. 3 (FINNAGE).CONVERSION OF CITY DEBENTURE DEBT INTO TRANS-
FERABLE STOCK.—SALE OF CORPORATION LANDS IN
COUNTY OF DUBLIN, &c.Although your Committee had kindly granted to me
permission in certain cases to make reports direct to
the Council, I consider it more respectful to submit
the following for your consideration:In my Report of 25th May, 1873, presented to your
Committee, printed with their sanction, and circulated
to members of the Council, I enumerated nine separate
objects as then desirable to be attained by a private
Corporation Estate Act, viz.—

1. Power to commute leases for lives into leases for adequate fixed terms of years at same rents.
2. Power to accept surrender of leases for years within seven years of expiration, to secure rent interests by grant of rentcharges to all parties entitled to profit rents.
3. Power to realise the full value in rents of surrendered holdings by grant of a lease to the occu-

pant of each separate tenement at the full yearly value without fine, such yearly value to be ascertained by survey and valuation, or by mutual agreement with each occupant, and in case of disagreement the rent to be fixed on survey by the head of the Government Valuation Office in Ireland, such Government survey and valuation to be final and conclusive, and paid for by the Corporation and their lessees in equal moieties. To grant leases of tenements for thirty-five years; leases for rebuilding for 105 years.

4. Power to sell, at not less than twenty-five years' purchase, the perpetual yearly rents of sixty-eight denominations in City rental, amounting to £1,357, which cannot increase, and invest the proceeds in purchase of City Debentures. To survey and sell, in lots not exceeding twenty or less than ten acres, six townlands in the County of Dublin, containing together about 2,000 acres.
5. Power, in case said perpetual rents and six townlands should not produce sufficient sums to purchase all outstanding City Debentures, to sell the wharves and anchorage harbour dues, averaging £1,250 per year, and apply proceeds in purchase of City Debentures.

CORPORATION OF DUBLIN—continued.

Or.

Ann. No. 15.

PAYMENTS.	£	s.	d.	£	s.	d.	Dublin, Eight Years' Accounts of Improvement Fund.
Brought forward,	—			415,354	2	4½	
YEAR ended 31st August, 1876.							
General Works Account—Paving, Macadamizing, Scavenging, Watering, Pugging, &c., including the sum of £1,108 7s. 11½d. portion of Expenditure charged against Loans,	52,599	1	1				
Lighting the Public Lamps,	5,854	2	2				
Horse Account and Expenses,	5,345	18	8				
Stationery, Printing, &c.,	438	8	9				
Southfield Market, Weights and Measures Department, &c.,	804	16	9				
Law Expenses, £303 4s. 9½d.; Parliamentary Costs, £8 11s.,	361	15	10				
Widening and Improving Streets, including Installments to Bank of Ireland,	343	19	11				
Salaries of Officers,	2,754	18	6				
Compensation Annuities (under Dublin Improvement and Collection of Rates Act, 1849),	840	6	2				
Ditto (under 32 and 33 Vic.),	532	9	8				
City Hall, Proportion of Expenses of Maintenance,	446	1	0				
Repayments of Balances of Deposits for Licenses, &c.,	1,355	6	8				
Domestic Scavenging Expenses,	479	9	10				
Wide Street Rents, Rates, &c.,	99	19	8				
City Treasurer, Petty Expenses Account,	1	3	2				
Sick Fund, Deductions from Wages,	64	2	0				
Late City Treasurer, Cheques to pay Wages, not so applied,	22	4	0				
Interest on Loans,	446	5	0				
Expenses of Loans,	285	0	0				
				73,258	9	10	
By Balance to Credit of Improvement Fund on 31st August, 1876,	—			488,582	12	2½	
				8,800	5	11½	
				£ 497,387	16	2	

THOMAS O'DONNELL, City Accountant,
May 2nd, 1877.

6. Power to enclose and reclaim part of the North Liffey Wet Acre Lots, containing about fifty-five acres, lying between Chesterwood, at Donnycurry, and the Dublin and Drogheda Railway.
7. Power to sell rents of Wide Street Estates and apply proceeds to widen streets.
8. Power to sell the holdings, late toll houses, on Circular-road Estate for repairs of Circular-road.
9. Power to agree with owners of land comprising Richmond Bridge for purchase of some five acres.

Since my Report of 25th of May, 1872, your Committee have in part adopted my suggestions and secured two of the foregoing objects, by recommending the Council to present a memorial for assent of the Treasury to—

- No. 1. Commutation of Leases for lives now in operation.
- No. 9. Purchase from Lord Meath of land rent of Richmond Bridge now completed.

I therefore recommend resolutions of the Council, expressive of approval, and memorials to the Treasury for assent so far as empowered, to the remaining seven objects above specified, but I am induced to place in the foreground two objects of more immediate importance not mentioned in my former Report, viz.—

To repeal the 55th Corporation By-law, and discontinue lettings of Corporation property by public auction. Such discontinuance has now become indispensable, in consequence of the expiration in 1880 of the leases of twenty-four very valuable holdings in Suffolk-street, Clarendon-street, and Wicklow-street, held by respectable traders who have been long in occupation, and are now willing to accept leases at the full present value, and rebuild such as require rebuilding.

The very valuable lease A B No. 4, held by the Trustees of Viscount Clifden, a minor, of ground on Arran-quay, Ellis-quay, and Pembroke-quay, comprising about 150 tenements, will expire in 1881. The trustees have proposed to treat for its immediate surrender or sale to the Corporation. The occupants would join and enter into new tenancies if lettings by section be discontinued.

To obtain the consent of the Bank of Ireland, and the holders of all outstanding City Debentures, now amounting to about £200,000, to their conversion, at £5 each under par, into City of Dublin Estate Stock, secured by deed upon all the Corporation Landed Estates, Stock to bear 4 per cent. interest, payable half-yearly at the Bank of Ireland, or their conversion at par into like stock, bearing interest at 3½ per cent. payable half-yearly at the Bank of Ireland, the City Estate Stock to be transmissible in like manner as Government or Bank of Ireland Stock.

Such conversion of City Debentures, amounting to about £200,000, into 4 per cent. City Estate Stock,
3 D 2

Report of
Finance
Magist. 1877

Ann. No. 15.

Dublin.
Report of
Finance
Committee, 1877.

at 25 under par, would effect a saving of £10,000 (principal), or the reduction of interest to $\frac{3}{4}$ per cent. on the Debenture Debt, converted at par, would save annually over £1,000.

The late purchase by the Hibernian Bank from the Corporation of their reversion in the six leaseholds in College-green, &c., at £13,430, applied in purchase of City Debentures of £200 Gs. 3d. were purchased at about £80 each.

SALE OF LANDS.

In relation to the sale in small lots, rent free for ever, of six Townlands in the County of Dublin, containing about 2,000 acres, the proposal to be invested in City of Dublin Estate Stock.

Since my Report of 25th May, 1872, Earl Chalmers has advertised for sale his interest in the Lands of Donnybrook, held under two leases from the Corporation, viz:—

One, 50 statute acres, held for ever at the yearly rent of £115 10 0	
One, 220 " " " to expire 1920 " " " 740 10 0	
	£855 10 0

His Lordship proposes to sell to the Corporation his interest in both leases for £12,000, payable within two years, give immediate possession of his lease and about 160 acres of Donnybrook within his domains, Martin, Clonard, and assign to the Corporation the rents payable by his one tenant, holding 127 acres on lease for forty-five years, at yearly rent amounting to:—

These domestic lands, so near the city, if sold in five-acre lots, statute, I believe to be worth £6 10s. to £3 per acre, and thirty years' purchase.

I submit the following estimate of purchase and proceeds:—

Purchase by the Corporation of Dublin of Earl Chalmers's Holdings, Donnybrook.

	£	s.	d.		£	s.	d.
A.R. 114, Donnybrook, 50 statute acres, no lease for ever, yearly rent,	115	10	0				
Less proportion of Four Years, 25 to 100, in the period,	31	0	0				
	146	0	0	£4100 years' purchase, 2,570	10	0	
A.R. 1, Donnybrook, 220 statute acres, no lease 40 years, yearly rent,	740	10	0				
Less proportion of Four Years, 25 to 100, in the period,	57	10	0				
	766	0	0	£4100 years' purchase, 31,700	0	0	
							£32,770 10 0

	£	s.	d.		£	s.	d.
Net value of two Leaseholds, as above,	14,770	10	0				
Provision money demanded,	112,000	0	0				
Less allowance claimed,	990	0	0				
	11,580	0	0				
Advertising, &c.,	150	0	0				
	30,770	10	0				

Probable gain to the Corporation, 14,770 10 0

	£	s.	d.		£	s.	d.
Rents payable by six tenants on lease,	400	0	0				
Less proportion of Four Years,	20	0	0				
	380	0	0	£4100 years' purchase, 31,700	0	0	
£4000 years' purchase, 31,700	0	0					
Less Four Years,	40	10	0				
	31,700	0	0	£4100 years' purchase, 31,700	0	0	

If the purchase and sale of Donnybrook shall be effected, and prove remunerative, I recommend the following lands to be also surveyed in lots not less than five acres, and sold, rent free for ever, on expiration of subsisting leases:—

Colmanstown,	250 acres, lease expires March, 1877.
Inagrove,	100 acres, lease expires March, 1877.
B. Clonsilla,	600 acres, lease expires 1880.
Baldylee Lands,	600 acres, held at 10s. 6d. per acre, lease expires 1880.
Do, 20 Town Parks, 100 acres, held yearly,	do.
Do, 20 Town Lots,	do.
Chetock,	350 acres, held on 25 years of lease, to be sold separately.

Any surplus amount of converted City Debentures realized by sale of the foregoing Lands, or by sale of the Shipage and Anchorage Harbour Docks (which does not are not charged to secure City Debentures) would be properly applicable to the building of at least twenty suitable cottages in the town of Baldylee, and procuring a supply of Vaux water to that town.

Also to enclose and reclaim about fifty-five acres, part of the North Liffey Wet Acre Lands, between the lands of Donnybrook and the Drogheda Railway Station.

SALE OF WIDE STREET RENTS.

To sell the rents of the Wide Street Rents in the City of Dublin not amount £815, now relieved from the annual charge of £154 10s. payable to the late solicitor.

The proceeds of the Wide Street Rents are properly applicable to widen streets, construct new streets, or a tunnel from Westminster-street to Paterick-street, if approved by the Municipal Council.

To sell the holdings, late toll-houses, on the Clonsilla-road, and apply proceeds to repairs of that road.

To extend present leasing power of the Corporation from thirty-one years of tenements, and seventy-five years for building, under Act 3 & 4 Vic., cap. 168, to fifty years for tenements, and to 100 years for building.

If your Committee will, as in the case of my Report of 25th May, 1872, direct this Report to be printed and distributed to Members of the Council, I shall be prepared to add all such further information in detail as will enable the several statements, and enable the Council to determine if monies in support should be presented to the Treasury.

FRANCIS MOGGAN.

REPORT—Re PROPOSED DISALLOWANCE.

Secretary's Office, City Hall,
Committee No. 1.

Dublin, 25th February, 1877.

GENTLEMEN,—I beg to report that the auditor has intimated his intention of disallowing the sum of 7s. per week, drawn by the committee for each of seven workmen during the year ended 31st August last. He objects to the payment on the ground that the men are returned on the wages book as "Men employed in Whitehorse-yard by order of Committee No. 1," one of the men being dead (the case inquired into by you in last November), and the others not having worked during the year.

I beg to submit the following record of the facts:—

On the 7th November, 1868, the City Engineer having brought under notice instances of workmen unfit for further duty, by reason of advanced age, and having recommended some of them as "worthy of the utmost consideration of the committee, on account of

their long services, a report was forwarded to the Municipal Council recommending that they should be remunerated on 7s. per week, to be paid out of the borough fund. The report was confirmed on the 5th February, 1869, the order of Council applying to three of the men now referred to. No. 3 Committee having charge of the Borough Fund, was then requested to provide for the future payment of the allowance, and to lodge to the credit of the improvement fund the amount disbursed while the report was under the consideration of the Council.

On the minutes of 12th June, 1869, a report of Mr. Moogan appears to the effect that he was of opinion the payments were not properly payable out of the borough fund, and that the directors for their payment out of their fund must have been inserted by mistake, and recommending that a further report should be presented to the Council to vary their order in that particular. No steps appear to have been taken with this object, however; the following order in regard to

Report—
Proposed
Disallowance.

the men having been made a fortnight before, on receipt of a communication from No. 5 Committee:—

"To be employed in the yard, Whitehorse-street, during leave, &c., and as messengers, as Mr. Cady shall direct, from week to week, at 7s per week each, from the 11th inst."

The Wages Book for 1868-9 shows that while the matter was under the consideration of the Council the men were returned as "Superannuated watchmen," and afterwards as "Labourers in yard, per Committee order of 29th May, 1869."

Subsequently the four other men were ordered by the Committee to be dismissed with them. I append a summary showing their advanced ages, length of service, and peculiar claims. I have ascertained that for some time these men discharged such slight services as were required of them, but probably through becoming more feeble, they attended less regularly, finally coming to go at all to Whitehorse-street, and appearing at the City Hall only to receive their money.

I have not been able to find the returns of labour in Whitehorse-yard at this period, but Mr. Cady, the former stock-keeper, informs me that when the men did not attend he noted this on the return sent to Mr. Doyle, the former book-keeper, who explains that he did not bring the fact specially under notice, as he considered the payment was understood to be a kind of retiring allowance for past services, and that the fact of the men working or not was not material to the humane intention of the committee. Mr. Doyle, the present stock-keeper, was appointed in February, 1875, and continued to send returns as his predecessor did, and the fact of the non-attendance of the men is noted on his returns. Mr. Roeborough likewise continued to make the entries in the Wages Book as made while he was assistant to Mr. Doyle. Both appear to be perfectly satisfied that the position of these men was clearly understood. Mr. Doyle, from time to time, inquired from Mr. Doyle, as to the continuing of this payment, and the explanation of Cady's money being so long drawn by a person representing him to be alive is found in the fact that the payment was not made to persons of the overseer at Whitehorse-yard, as in other cases, but at the City Hall, and that the duty of making the payment successively devolved on several officers, through unavoidable circumstances. Cady died in December, 1874, and the payment was early in 1875 superannuated by Mr. Doyle; after his superannuation, conducted by Mr. Conolly until his illness, then by Mr. Burke, who died, then by Mr. Eyre, until the duty was transferred to Mr. Shannon. To each of these officers was made the false representation that Cady was bedridden. Had one continued to discharge the duty of paying the men, Cady's continued absence would have caused inquiry.

During last year the treasurer thought it desirable to pay these men and others (numbering about 300) at Whitehorse-yard, and Cady's non-appearance attracted Mr. Doyle's attention, and before the truth transpired he had instituted inquiries, which would have led to the discovery of the imposition. It is a common practice with those who employ large bodies of men to pay a workman's wages to a person recognized to represent him, and it is impossible from the payment of the vast number of men in your service, many of whom live at a distance, and have been working under the rain or in the covers all day.

The general supervision of the accounts of the committee is part of my duty, and I have, from time to time, brought under notice any matters that attracted my attention in the Wages Books, through which those payments were made, as well as in any other matters of account. These Wages Books, as you are aware, are an abstract, extending from fifty to sixty pages weekly, of all the Overseers' Time Books, and it would be impossible, even if desirable, with the present small staff, to check each week all the items of this abstract; but I believe it to be prepared with the most conscientious care by Mr. Roeborough, and that his knowledge of works peculiarly ripe in its being properly done. I also believe it to be an accurate summary of the returns, and during the past year I have imposed a check on a considerable portion of it, which, in my opinion, proves this summary, that I have obtained directly from the overseers of paving, through the inspectors of works and the city engineer, returns of all details of the extensive paving works, and that the amount of the wages paid in the course of each week has been found at its completion to tally within a few shillings with the amount passed through the Wages Book. The comparison was made with critical accuracy, and was difficult, but the results obtained are worth the time and labour. The wages paid during the year under audit amount to £265,572 17s. 11d., and the items questioned to £129 17s.

Such are the facts relative to the proposed disallowance; and I would beg to observe that if it be sustained, it will bring prominently forward the grave disadvantages at which the Corporation will be placed as compared with other extensive employers, in being totally debarred from showing any consideration for meritorious services rendered by workmen, or making any, or even the slightest provision for cases of extreme old age or of incapacity for further work, arising from senile accidents incident to the employment, as in two of the cases under consideration. The admirable provision of the laws for the relief of the poor do not adequately meet cases like these, the receipt of poor relief being to decent workmen a great social degradation, as in a painful instance recently before you, in which one of your workmen had contracted an incurable disease from inhaling sewer gases. I would especially direct the attention of the committee to the Billinares and Penobscot Main Drainage and Improvement Bill, now being promoted. The Township of Billinares has not hitherto had a public sewer, and the services of one under clause 65 of this Bill; but also at the same time seeks under clause 22 power to grant to "any servant incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, an allowance not exceeding two-thirds of his salary, and likewise out of their funds make a reasonable allowance in any case to workmen or others employed in or about the sewers, when the circumstances in their discretion shall justify the same."

If such power and discretion be not already inherent in the Corporation, as incident to its powers and functions as an employer, it would appear desirable to acquire them at the earliest opportunity.

I am, gentlemen, your obedient servant,

J. BENTLEY, Secretary.

The Chairman and Gentlemen, No. 1 Committee.

Names, Ages, Service, &c., of the WORK-OUT WORKMEN paid 7s. per Week in Year ended August 31, 1877.

Name.	Age.	Years of Service.	—	Observations.
J. Barrett.	71	40	Dead, under order of the Corporation.	Scavenger Gangster who resorted to Corporations, and continued as well sweeping was contacted for; then appointed Watchman Was Overseer of Scavenging under Paving Board, since Inspector of Nuisances and Warrant Officer. In discharge of duty met with accident, rendering his right hand useless, and losing his foot 1860.
J. Price.	73	36		Overseer of Scavenging, 1823-1826; Warrant Officer, 1827-1829; Watchman, 1830-1860.
W. Sayth.	79	45		Labourer and Watchman.
F. Flood.	79	49		Labourer; lost an eye through an accident while working.
J. Morris.	75	38		Watchman; died November, 1873.
P. Egan.	74	26	Do.	Became hopelessly blind.
M. Cady.	60	35		

At 8s. 1d.
Dedn.
Export.—
Proposed Disallowance.

Work-out
workmen.

RETURN OF DUTIES OF OFFICERS IN CONNECTION WITH COMMITTEE No. 2.

For the information of the Right Honorable the Lord Mayor.

INSPECTORS OF WEIGHTS AND MEASURES (Lord Mayor's 1860—1868).

Epistola G. Webb, appointed 5th May, 1865.
George Edwards, " 19th October, 1868.

Salary, each, one-half of £100 per annum as inspectors of weights and measures, and one-half of £30 per annum as deputy clerks of the market.

Duties.—To attend each morning on the Right Honorable the Lord Mayor at the Mansion House, to receive his lordship's directions as to the locality he wishes to inspect, or such other instructions as to the duty to be performed that day.

On two days in each week, accompanied by the van, to inspect weights and measures at the stores or shops of traders, to seize all fraudulent beams, scales, weights, or measures, and cause the owner to be summoned before the Right Honorable the Lord Mayor, and attend the hearing of such cases to give evidence.

To take charge of any weights or measures that may be insecure from wear and tear (when fraud is not intended) for adjustment.

To, on other days, inspect suspected persons, either singly or accompanied by an assistant, with a view of discovering attempted frauds.

All fines imposed by the Right Honorable the Lord Mayor are, when received, lodged to the credit of the borough fund by the registrar of the Court.

As deputy clerk of the markets, to visit and inspect the several meat, fish, fowl, and vegetable markets, with the view of detecting any unwholesome or unfit food exposed for sale, and, if any such, to seize same, and send it to the gardens of the Royal Zoological Society for the use of the animals therein.

In addition to the above duties the inspectors of

weights and measures in Dublin adjust any weights or measures that may be slightly incorrect (when fraudulent intent is not apparent) for which they make a charge long adopted and acquiesced in by the general public, and has been found to work well in practice. This charge includes the cost of lead, labour, coal, stamping, and the cost of which is paid by them, not out of the corporate funds.

They retain the proceeds as additional salary. A return of all inspections and adjustments furnished weekly to the Committee No. 2.

INSPECTOR OF PETROLEUM.

Mr. Epistola G. Webb, appointed 1870; salary, £10 per annum.

Duties.—To inspect and report to Committee No. 2 as to the fitness of the premises for storage and sale of petroleum before license is issued to the owner.

To inspect from time to time all premises, the owners of which are licensed, for storage or sale of petroleum, to ascertain that a larger quantity than authorized be not stored, and to obtain samples of oil sent out for testing.

To report the result of such inspection from time to time to Committee No. 2.

To attend and give evidence in any case of infringements of the Acts.

The inspector of weights and measures makes no charge for testing weights or measures if sent in, and found to be correct, and previously stamped with an authorized stamp, either English, Scotch, or Irish.

They also test the several Corporation weigh-bridges, and all weights used in the water-lifts' department free of charge to the Corporation.

Duties of
Officers
attending the
Sword.

CORPORATION OF THE CITY OF DUBLIN.—EXTRACTS FROM SCHEDULE OF DUTIES OF OFFICERS attending the SWORD, as certified under the hand of Alderman GEORGE ROE, Lord Mayor, on date December, 1842.

THE MACE BEARER'S DUTY.

His duty is to attend on all public days, waiting Sundays, and to invite part of his Lordship's company on collar days.

OFFICERS OF COMMONS' DUTY.

His duty is to summon all poor assemblies himself; to acquaint the master of each Corporation of the general assemblies; and likewise when they, their husbands and wardens, are to attend the sword on all sabbat days, and all other public occasions, and when to attend on waiting Sundays; to summon all constables, and to wait their commands; to summon the key-keepers on the sealing of leases or other deeds; to deliver the warrants for riding the franchises, and returning of numbers; to invite the town-masters on returning of the commons, and summon the juries for trying the worthiness of apprentices.

WATER BAILIFFS' DUTY.

Their duty is to attend the sword on all public days; one on waiting Sundays; to invite part of his

Lordship's company for collar days, the Aldermen and Sheriff's Peers for waiting Sundays; to summon all Boards of Aldermen, general and poor assemblies; one to attend each market day, and whenever his Lordship thinks proper to walk; to invite the Captain of the Guard, and the minister that preaches on waiting Sundays.

HIGH CONSTABLE'S DUTY.

His duty is to attend his Lordship every morning, and take his directions for that day's business. To invite part of his Lordship's company for public days. To summon the music for collar days; to summon the constables to attend his Lordship; and to provide and deliver billets necessary for the troops to be billeted in this city.

GEORGE ROE, Lord Mayor, 1842.

JOHN MARTIN,

Assistant to the Town Clerk.

27th April, 1877.

APPENDIX No. 16.

APP. No. 16.

WEXFORD.

Wexford.

LIST of the CORPORATION of the BOROUGH of WEXFORD, with their Professions or Business, and the Rateable Value of Premises held by them in their Occupation.

Name, and Profession or Business.	Rateable Value of Premises held by them in their Occupation.	Rateable Value of Property held by them in their Occupation.	Rateable Value of Property held by them in their Occupation.
<i>See Aldermen, viz.:-</i>	£ s. d.	£ s. d.	£ s. d.
1. John J. Walsh, Mayor, Auctioneer,	75 5 0	20 0 0	36 0 0
2. John Greene, Landlord, Newspaper Proprietor, and County Magistrate,	55 0 0	—	25 0 0
3. James M. Vane, Land Agent,	91 0 0	—	31 0 0
4. John Simons, Ironmonger,	208 0 0	105 0 0	67 0 0
5. Robert Stafford, Malterer,	543 10 0	21 0 0	378 10 0
6. Peter Murphy, Miller,	64 0 0	4 0 0	60 0 0
<i>See Town Council, viz.:-</i>	£ s. d.	£ s. d.	£ s. d.
1. Gerald O'R. Ryan, Solicitor,	18 0 0	—	10 0 0
2. Robert D. Walker, Hotel Proprietor,	178 10 0	—	178 10 0
3. David Esda, Spirit Grocer,	45 0 0	5 0 0	40 0 0
4. Joseph Lacy, Spirit Grocer,	50 0 0	31 0 0	29 0 0
5. Martin Haggard, Scholar,	21 0 0	—	21 0 0
6. John Hinton, Auctioneer,	60 0 0	—	40 0 0
7. Edward Walsh, Newspaper Proprietor,	12 0 0	—	12 0 0
8. William Dervaux, Spirit Grocer,	29 0 0	—	29 0 0
9. William Armstrong, Grocer and Provision Merchant,	40 10 0	16 10 0	34 0 0
10. Lett Sealy Johnson, Spirit Grocer,	65 0 0	—	65 0 0
11. John J. Harper, Nursery and Seeds Man,	24 0 0	37 5 0	24 0 0
12. Michael Delaney, Baker,	270 10 0	—	270 10 0
13. James P. Devaux, Corn Merchant, Malterer, and Ship Owner,	128 0 0	66 10 0	41 10 0
14. Richard Harrison, Cooper, Basket Maker, and Publisher,	55 10 0	16 0 0	49 0 0
15. Joseph O'Connor, Baker,	148 0 0	7 10 0	100 15 0
16. Peter Hynes, Malterer,	77 15 0	—	77 15 0
17. Joseph W. Walsh, Timber Merchant, and Secretary of Harbour Commissioners,	24 0 0	—	24 0 0
18. William Thompson, Tailor, Watchmaker and Jeweller,	—	—	—

Correct.

THOMAS M. O'LEARY, Town Clerk.

Wexford, 30th June, 1877.

ABSTRACT of the ACCOUNTS of the RECEIPTS and EXPENDITURE of the CORPORATION of the BOROUGH of WEXFORD for the year ended 30th September, 1876.

Abstract of Accounts.

BOROUGH FUNDS.		EXPENDITURE.	
RECEIPTS.	Amount.	EXPENDITURE.	Amount.
Nature of Receipts.	£ s. d.	Nature of Expenditures.	£ s. d.
To Balance in hands of Treasurer on the 30th September, 1875,	63 7 10	By Corporation buildings, new works and repairs,	0 16 5
" Borough Rate collected and lodged,	740 13 6	" Lighting—Gas Company, for lighting Public Lamps,	428 8 2
" Rents of Corporation Property,	224 3 5 1/2	" " Gas for Mayor's Office,	10 3 2
" Dog License Duty,	22 15 0	" Scavenging and Sweeping, &c.,	143 12 0
" Miscellaneous Receipts, viz.:-		" Rents for Fire Engine,	15 9 0
Fish Stalls,	42 15 4	" Salaries, viz.:-	
Government Contribution in Ren- ment Property,	4 4 0	Town Clerk,	420 10 0
Do. Treasurer of Salaries of Sanitary Officers,	27 3 11	Treasurer,	30 0 0
Use of Police and Town Hall,	4 10 0	Town Sergeant,	21 0 0
Amount of Travelling Expenses incurred by Aldermen Stafford,	10 0 0	Office Cleaner,	9 0 0
Amount from Board of Public Works, balance of deposit to meet expenses of Loan to 1875,	6 10 8	Executive Sanitary Officer, Consulting Sanitary Officer, Sub-Sanitary Officer,	20 0 0
" Pipe-water Receipts, viz.:-			200 10 0
Rents,	4207 0 0	" Collection Fees,	44 9 11
Rent of Pipe Stalls,	16 2 3	" Rents of Corporation Property and Taxes,	87 22 0 1/2
" Net Balance due to Treasurer at end of year,	20 19 4 1/2	" New Market—Rent,	420 0 0
		" Mortgage Account, Incumbrance of Principal and Interest,	43 15 4
		" Amount lodged with Board of Public Works to meet expenses of Loan for Building Market, Works,	4 0 0
		" Printing, Stationery, and Advertising,	29 13 4 1/2
		" Local Government Board for Audit, Sewer Grants, &c.,	13 2 6
		" Grants for Mayor's Sergeant, Execution of Warrants at a House destroyed by Fire,	5 0 0
		" Repairs of Furniture, &c.,	5 10 11
		" Pipe-water Expenditure, viz.:-	10 0 0
		Works and Repairs,	409 18 0
		Collection Fees,	10 0 0
		Salary of Treasurer,	30 0 0
		Superintendent of Works,	55 0 0
			145 8 0
		" New Waterworks,	50 10 0
		" Rents and Taxes,	25 15 10
		" Residential Expenses,	61 18 0 1/2
		" Unallowed by Auditor,	0 5 6
	42,471 0 2 1/2		42,471 0 2 1/2

Art. No. 16.

Wexford.
Abstract of
Accounts.

Local Government (Ireland) Provisional Order (Wexford) Confirmation Act, 1873, and the Towns Improvement (Ireland) Act, 1854.

RECEIPTS.		EXPENDITURE.	
Nature of Receipt.	Amount. £ s. d.	Nature of Expenditure.	Amount. £ s. d.
To Cash in hands of Town Clerk, 30th September, 1873.	4 2 3	By Balance due to Treasurer, 30th September, 1873.	331 1 9
„ Amount of Rates collected and lodged during the year.	1,638 0 0	„ Expenses and Repairs of Streets and Footpaths.	15 10 8
„ Rent of Premises in Office-shed, and Four Rates.	4 6 0	„ Improvement of Streets, including £118 for making New Road from Bridge-street to Mill-road, and £17 for making Water Tables in Throstle-street.	381 12 3
„ Government Contribution in lieu of Rates on Government Property.	7 7 0	„ Sewerage.	26 1 3
„ Fees and Costs under the Towns Improvement Act.	433 18 8	„ Provision of Grand Jury Case payable by the Borough of Wexford.	302 10 8
„ Properties of House under Licensing Act.	33 15 0	„ Incidental expenses, including £39 for preparing Rate and Collection Books.	10 6 8
	123 12 8	„ Law Costs.	6 8 8
		„ Officers' Salaries, viz.—	
		Town Clerk.	450 0 0
		Town Surveyor.	10 0 0
		„ Collector's Rent.	59 0 0
		„ Advertising and Printing.	115 10 0
		„ Local Government Bond for Audit.	12 5 0
		„ Cash in hands of Town Clerk at end of year.	4 1 12
		„ Balance due by Treasurer at end of year.	390 9 5
	41,778 9 9		41,778 9 9

I certify that the foregoing is a true abstract of the Accounts of the Corporation of Wexford for the year ended 30th September, 1876.

Dated 30th April, 1877.

Geo. W. FENLAY, Local Government Auditor.

Art. No. 17.

Sligo.

APPENDIX No. 17.

SLIGO.

Population in 1871, 10,670.

CORPORATION OF THE BOROUGH OF SLIGO.

Corporation.

Mayor.	Deputy Mayor, esq.	JAMES W. SELLER, esq.	THOMAS H. WILLIAMS, esq., esq.
JAMES NEWMAN, esq.	JAMES KILL, esq., esq.	WILLIAM A. WOODS, esq., esq.	WILLIAM A. WOODS, esq., esq.
Aldermen.	Councillors.	MICHAEL CONNOR, esq., esq.	ROBERT HUNTER, esq., esq.
WILLIAM MIDDLETON, esq.	JAMES NEWMAN, esq.	MARTIN W. PHILLIPS, esq.	JAMES DOHERTY, esq., esq.
JAMES TIGHE, esq.	ROBERT CRAWFORD, esq.	WILLIAM GUNNERY, esq.	ALEXANDER GILBERT, esq., esq.
THOMAS O'DONOVAN, esq., esq.		BERNARD COLLINS, esq.	CHARLES ANDERSON, esq., esq.
		HENRY DALTON, esq.	STEPHEN M. CHERRY, esq.
		PATRICK DALTON, esq., esq.	JOHN G. DUFFY, esq.

Abstract of
Accounts.

ABSTRACT OF THE ACCOUNTS OF THE CORPORATION OF SLIGO FOR THE YEAR ended the 29th September, 1876, showing the Receipts and Expenditure under the several heads during that period.

RECEIPTS.		EXPENDITURE.	
Nature of Receipt.	Amount. £ s. d.	Nature of Receipt.	Amount. £ s. d.
To Balance in hands of Treasurer—		To Rents.	79 15 3
Town Hall Account.	6 7 9	(Apartments in Town Hall).	155 15 6
Sanitary Account.	42 10 4	Petty Sessions Fees.	36 19 9
Foreign Rate collected and lodged in Bank.	3,319 17 3	Dog License Duty.	13 19 5
Sundry Rate collected and lodged with Treasurer.	25 0 0		411,087 10 5
Proceeds of Rents disallowed by Bank.	262 9 10		
Cash received for Deceased Mortgages.	1,150 0 0		
EXPENDITURE.		EXPENDITURE.	
Nature of Expenditure.	Amount. £ s. d.	Nature of Expenditure.	Amount. £ s. d.
By Balance due Provisional Bank.	685 14 11	By Town Hall—	
Salaries—		Borough of Sligo, 1869, 1870, 1871, 1872, 1873.	2,326 0 0
Mayor.	750 0 0	Rent of 20th.	50 0 0
Town Clerk, Treasurer and Accountant.		Interest on Current Bills, and	
Borough Surveyor, Constable, and Watchman.	557 0 0	Stamps.	43 0 1
Collector's Fees (including balance due, 1874).	113 13 4	Repairs and Gas Fittings.	3 19 9
Printing, Stationery, and Advertising.	22 8 9	Wages of Constables and Attendance.	41 0 0
Rent and Taxes.	1 13 6	Miscellaneous.	0 5 0
Office Expenses (including Fuel, &c.).	19 6 8		3,435 5 4
Payment to Grand Jury, County Sligo.	331 5 2		
Interest on Debt.	328 3 9	Sanitary Expenses, viz.—	
Bills and Bank Accounts.	76 8 10	Salaries of Officers.	59 0 0
Borough Rate paid in arrears (including).	0 15 8	Collector's Fees (on Rate of 1873-4).	29 0 0
Boundary Commission (of).	14 0 0	Sewerage.	86 15 10
Coroner's Fees, and Expenses of Inquests.	18 11 6	Printing and Stationery.	3 17 4
Repairs of Streets and Footways (including balance due, 1873).	529 5 1		110 12 3
Sewerage.	135 19 10	Balance in Provisional Bank.	2,435 2 4
Lighting (including arrears of 1874).	749 17 3	in hands of Treasurer—	
Pumps.	39 9 8	Town Hall Account.	24 16 5
Law Costs.	54 4 10	Sanitary Account.	13 8 4
Weights and Measures.	19 15 0		36 15 9
Amount paid to meet Bills drawn on Treasurer.	752 0 0		411,087 10 5
Audit of Accounts (3 years).	33 12 0		
Miscellaneous.	12 4 10		

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Corporation of Sligo for the year ended the 29th September, 1876.

Dated this 29th day of August, 1876.

EDWARD J. BROWNE, Auditor.

SLIGO BUTTER MARKET.

MASTER of the ROLL'S OPINION.

APP. No. 17.

Sligo.
Master of the
Roll's opinion.

I think that the report states correctly the several Acts of Parliament bearing on the important subject-matter of this case; but in some of the conclusions which it draws it will require variations, the extent of which will appear in the answers to the other queries which I answer, 1, 2, 3, 4, 5, and 6. The offices of public weighmaster (as stated in substance in the report) are entirely distinct and separate, the former deriving his authority from the statute of Anne, and the latter from the 52nd Geo. III., c. 134. It appears to me that the appointment of butter weighmaster is vested in the Corporation, and if no appointment was made to that office since Mr. Wynne's death, it seems to me that the office is vacant. The Court of Queen's Bench, in a case from the borough of Sligo itself (*Kelly v. Moloney*, 4 Irish C. L. Reports, p. 415, which see), decided that the offices of weighmaster of butter and of taster of butter were not two separate offices, and that taster was merely a function of the office of weighmaster of butter, and that therefore there was but one office under 52nd Geo. III., c. 134, viz., weighmaster of butter. Having regard to the decision I think the Corporation can only appoint to one office, that of weighmaster of butter, who will or can thereby become taster also. This office of weighmaster I think is a freehold office, and whoever is appointed he will, I think, be entitled to hold it for his life, except in case of his misbehaviour for which his removal is provided by the statute. I do not think that the Corporation can make by-laws for the management of the market. It would seem from the case of *Kelly v. Moloney*, above referred to, that the general tolls and customs of Sligo were considered to be vested in Mr. Wynne, and it is to be observed that the charter sent only grants such markets, &c., in the Corporation themselves enjoyed, but, no doubt, a butter weighmaster, if the public resorted to him, would be able by his own arrangements to regulate, to a great extent, the conduct of the market. The 10th Geo. IV., c. 41, has this important effect, that weighing and taster before

exposed to sale, is no longer obligatory; and therefore it depends very much on the public themselves now whether the appointment of a weighmaster will have sanction. With respect to the vacancy of the office, this is also to be borne in mind, that if anyone has been for any time acting in the office of butter weighmaster, it is evidence to go to a jury of his *de-facto* appointment; and in reference to this matter the case of *Dexter v. Hayes*, 11 Irish Common Law, 106, is a very strong decision. It would however appear to me very difficult for a pretender to the office in the borough of Sligo to sustain a presumed appointment, but it is a view which cannot be altogether lost sight of. I think that the Corporation could not turn out the office or the fees of the office of weighmaster. The statute gives those fees to the officer and not to the Corporation; and it appears to me that a farming out of the office in appropriating part of its revenue would be contrary to public policy.

7 & 8. In my opinion the Corporation is not entitled to any account in respect of the emoluments mentioned, they are no part of the corporate revenues; and during the time these fees were received, when there was no legal weighmaster of butter, the only persons who could get back the money seems to me to be the persons who paid it, but their right to recover back would depend upon a variety of circumstances, which in any given case might be different from any other; but it seems to me that in no view would the Corporation be entitled to any account which was received by the party usurping the office. The proper course for the Corporation to pursue and strikes me is to make this appointment, and then the butter weighmaster could bring his action against any one disturbing him in his office. See *Dexter v. Hayes*, above mentioned.

EDWARD SULLIVAN.

32, Fitzwilliam-place,
23rd October, 1867.

OPINION ON ADDITIONAL QUERIES.

Opinion on
Additional
Queries.

I have stated in my former opinion that the Corporation of Sligo could not turn out the office of butter weighmaster, so as to get the fees, or a portion of them, for the benefit of the town. It appears to me that any agreement made with a person appointed to the office, whereby any part of the fees payable to him would go to the Corporation, would not be binding on the weighmaster, but I think that it is very plain that if a person be appointed weighmaster he could voluntarily surrender or give up to the Corporation all or part of the fees of his office, and his so doing would not in any way render his appointment less valid. Indeed, I think further, even if the appointment was made on the express condition of his giving up the fees, that the appointment would stand good, and the condition would be considered void, and the appointee would take the fees just as if no such condition was imposed. In making an appointment now, it will, however, be safer to make no express condition or stipulation as to the fees. Let the appointment be made unfettered by any such arrangement, and

then let the weighmaster deal voluntarily with the fees. There can be no possible objection to a private understanding in the matter, and the same course ought to be observed with respect to a resignation. It will be better not to appoint the mayor, such an appointment may cause embarrassment in more ways than one. There can certainly be no objection to the proposed bill containing clauses modifying or altering, as to the town of Sligo, the provisions of the old statute as to the butter weighmaster in his fees, &c. It unquestionably would be most desirable that the Local Act for the government of Sligo, viz., that of 1803, should be materially and substantially altered, and it would appear to me that the regulation of the butter market would most properly come within the scope of such bill.

EDWARD SULLIVAN.

33, Fitzwilliam-place,
7th November, 1867.

MEMORIAL of the BUTTER MERCHANTS of SLIGO.

Memorial of
Butter
Merchants.To the MAYOR, ALDERMEN, and BURGESS of the
CORPORATION of SLIGO.

Sligo, March 26th, 1877.

The undersigned, who are engaged in the butter trade in Sligo, beg leave to memorialize and solicit the aid of the Corporation of Sligo, for the purpose of

remedying the grievances under which the trade outside they have been suffering for some considerable time.

1st.—The memorialists consider a principal grievance, the deficient and faulty qualification of the different classes of butter, and also the want of uniformity in such qualification.

3 E

Ann. No. 17.

Sligo.
Memorial of
Butter
Merchants.

2nd.—That memorialists consider it a grievance, that butter bought in country markets by shippers, is qualified in Sligo market for the buyers of it, differently from what it would be, if brought in by the makers of the butter.

3rd.—That the effect of such qualification has been most injurious to the buyers of legitimate Sligo crane brands, bought in the Sligo market, the consequence of which has been, that butter represented to be Sligo Market crane brands, although bought in country markets, and qualified they believe so differently, has been offered for sale, and sold in the Glasgow and other markets, at a lower price than Sligo legitimate crane brands could be purchased for in the Sligo market, an unfair competition being thereby established to the extent of at least 5s. to 10s. per cwt, and sometimes more.

4th.—The memorialists represent that such a state of affairs is most injurious to the character and the brand of the Sligo Butter Market, in which they believe that not only the trade, but the Corporation and the public generally, including sellers as well as buyers, have a direct interest.

It was not until memorialists felt the injury to themselves and to the trade, and found that the character of the Sligo butter market was becoming degraded in the estimation of English and Scotch buyers, and that to such an extent that orders which would have come here, had been directed to other markets, that they endeavored to get a remedy from the present weighmaster.

As an illustration of the evils the memorialists complain of, butter under the very same brands, representing the same quality, and implying that it is Sligo butter, although bought in country markets, has been sold in the Scotch and English markets at 10s. per cwt. lower than Sligo legitimate crane brands, to the prejudice of the Sligo trade.

With the view of remedying these evils, the memorialists have held several meetings, and passed resolutions which memorialists now submit to the Corporation, having submitted the same to Mr. Tighe, your weighmaster, and he having failed to make such changes as are required, memorialists therefore pray the Corporation to take the whole matter of the butter market into consideration, and take such steps as may seem to them to be appropriate for the purpose, and for the occasion.

The resolutions will be found appended hereto:—

JAMES SMCLEIN,
JOHN LAWRENCE,
ROBERT PETTIGREW,
MERRINGTON AND POLLEXFEN,
W. AND J. PETTIGREW,
JOHN WILLIAM DAVIS,
JAMES GALLOWAY,
M. MELMOE AND SON,
JAMES CUTHALL AND CO.,
JAMES M'MORROW,
FREDERICK H. POLLEXFEN,
HENRY GOSMAN,
JOHN KEARNEY, Ballymote.

JAMES KIDD, Chairman.
JOHN PETTIGREW, Hon. Secretary.

MEETING, November 25th, 1876.

1. That this meeting has no confidence in the present inspector of the Sligo butter market.
2. That any inspector existing, or to be appointed, should be paid by salary.
3. That butter, previous to weighing, is not properly or sufficiently cleaned, thereby entailing a loss to the trade in the net weighing of the article.
4. That the system of weighing in Sligo market should be one pound from standing beam, and sufficiently secured.
5. That the construction of the present butter market is almost prohibitory of proper inspection of

butter, but until a proper construction can be provided, this meeting recommends that more assistance be provided to arrange the casks for inspecting, and preventing crowding of persons round the inspector.

6. That a copy of the resolutions passed at this meeting be sent to Mr. Tighe, the weighmaster and butter trader, with a request that he take them into consideration, and that he will kindly communicate his intentions to a meeting to be held on Tuesday next, December 5th, at 7 p.m., or such meeting as he may appoint, to which time this meeting is adjourned.

MERRINGTON, December 5th, 1876.

The following reply was received from Mr. Tighe:—

Sligo, December 5th, 1876.

MY DEAR SIR,

I have your esteemed favour of 29th ultimo, and copy of six resolutions passed at a meeting of the trade held on the evening of the 28th, in the Town Hall.

1st.—It is to be regretted that after so many years' service the butter inspector should have lost the confidence of the trade, and would be glad to have any suggestions from the trade that would remedy the evil they complain of, without resorting to dismissal of Deputy Inspector McClean.

2nd.—Paying inspector by salary would be contrary to the statute, which settles his fee at one penny per cwt.

3rd.—I have always instructed the master cooper, Mr. Haile, to be particular, and am rather surprised to hear this complaint, and would be glad to have any suggestion from the trade that they think would remedy the cause of complaint, or make the cleansing of butter more effectual; some time I am not aware of any legal authority invested in me for doing so.

4th.—I refer the trade to the Fairs and Markets Bill, which regulates the weighing of all produce.

5th.—I believe the same protection is given the inspector now that has been given heretofore. Would the trade kindly say what more assistance is required for the arranging of casks, and who is to pay for it?

Your sixth resolution requires no remark from me; but I cannot conclude without suggesting to the trade to consider and think over some reforms required (in my mind) in their system of doing business in the butter market.

If the trade could, without injury to their own private interests, manage the purchase of butter, so as to give more confidence to the seller, so that, no matter how innocent or ignorant he may be, he will be certain to receive the full and fair market value of his butter, and I truly believe this confidence is the first necessity to the making of the Sligo butter market at least double its present supplies.

Very truly yours,

JAMES TIGHE.

John Pettigrew, esq., Secretary.

After considering Mr. Tighe's letter, it was resolved:—

1st.—That this meeting repeats and confirms the expression of dissatisfaction and want of confidence in the present deputy inspector, and unhesitatingly requests that the weighmaster shall appoint a new deputy inspector, who shall be in a position to act independently of both buyers and sellers, and there being nothing in the statute to prohibit him (the weighmaster) from appointing his own deputies, he can therefore pay them by salaries, whilst his own perquisites may be limited to a fee of one penny per cwt.

2nd.—That as regards the third resolution, this meeting is of opinion that the master cooper should also be paid by salary, the weighmaster taking his fee in the same manner as for inspecting and weighing, and that stated persons should wait on and attend the master cooper for the purpose of properly cleansing the butter. This meeting expresses no want of confidence in the

master cooper, but strongly recommends a change of system of respecting and cleaning.

3rd.—That as regards the third and fourth resolutions, additional assistance should be supplied to the master cooper, in order that the operation may be more effectual, as applicable to both cleaning and the nett weighing of the butter.

Meeting, December 12th, 1875.

1st.—That the meeting being now assembled as an adjourned meeting from that of 5th instant, for the purpose of hearing from Mr. Tighe, the weighmaster, his decision as to the request of the trade, to appoint a new deputy inspector, and having waited till after eight o'clock without having received any intimation from Mr. Tighe, this meeting feels much disappointed and dissatisfied with Mr. Tighe's intention to the interests of the butter trade, as expressed to him, and to his breach of promise in not informing this meeting of his decision as regards the appointment of a deputy inspector.

2nd.—That this meeting believes Mr. Tighe's intention to the representations of the butter trade indicates his indisposition to remedy the grievances complained of; and inasmuch as the appointment of butter weighmaster and butter taster was made by the Corporation, and although the appointment having been made for life, which implies irresponsibility to their authority, yet this meeting cannot believe that such large interests as are involved can exist without

some control; that a memorial, embodying the resolutions passed at previous meetings of the trade, and already communicated to Mr. Tighe, be presented to the mayor, with a request that he do call a special meeting of the Town Council for the purpose of considering the whole question of the butter market as affecting the trade, the Corporation, and the interests of the public generally, and that a deputation be permitted to attend such meeting for the purpose of expressing their views.

3rd.—That a committee consisting of the following gentlemen draw up a memorial to the Town Council, and that they also form a deputation to wait on the Town Council in case the mayor calls a meeting:—

J. SINGLATER, M.R.	M. BRAY.
J. LAWRENCE	R. PETHICK.
J. McMANUS.	J. PETHICK.
F. H. FOLEY.	J. KINN.

After the foregoing business had been transacted, a letter from Mr. Tighe was handed in at 9.20, which it was decided could not then be received, and the Secretary was requested to return the same to Mr. Tighe, with an intimation that if he wished to make any communication to the trade, a meeting would be held for the purpose of receiving it, or that it could be received and entertained at the meeting on next Tuesday evening, at 7.30, a.m., to which time this meeting stands adjourned.

App. No. 17.

Sign.
Memorial of
Butter
Merchants.

APPENDIX No. 18.

GALWAY.

6th and 7th Wm. IV.; 5th Vic., 10th and 11th Vic.; and Galway Improvement Act, 1853. Number of Commissioners, 24. Number of Burgesses, 695. Population in 1871, 13,453. Acreage within Municipal Boundary, 5,243.4. Gr. 8s. Rateable value, £28,180. Poor Rate, 2s. 5d. in the £1; Maintenance Rate, 1s. 8d. in the £1; Water Rate, 1s. in the £1. Outstanding debt—(1) £1,600 due to gas company—incurred principally by the allocation of the funds of the Commissioners towards obtaining the special Act of 1853, instead of paying for the lighting of the town; (2) £15,000, loan from Board of Works for Waterworks; (3) £3,000 from same body, instalment of loan of £8,000 for sewerage purposes. Number of persons rated at £4 and up to £12, 345.

App. No. 18.

Galway.

TOWN COMMISSIONERS.

Name and Profession.	Valuation
£ s. d.	
Captain James O'Hara, Chairman, J.P., D.L., Landed Proprietor, . . .	265 5 0
Sir Valentine Blake, Barrister, J.P., . . .	195 0 0
George Morris, M.R., Land Agent, . . .	50 0 0
Major J. W. Lynch, J.P., M.L., Landed Proprietor, . . .	880 0 0
Captain F. Blake-Jones, J.P., Landed Proprietor, . . .	84 15 0
Henry S. Parn, J.P., Distiller, . . .	685 15 0
R. N. Somerville, J.P., Merchant, . . .	430 0 0
James Campbell, J.P., Coal Merchant, . . .	335 0 0
L. L. Footman, Newspaper Proprietor, . . .	30 0 0
John McDougall, Newspaper Proprietor, . . .	31 0 0
Denis Kelly, Farmer, . . .	31 0 0
Michael Dooly, Bootmaker, . . .	35 0 0

Name and Profession.	Valuation
£ s. d.	
Michael Grealy, House Proprietor, . . .	323 0 0
Joseph Smyth, Merchant, . . .	145 15 0
James Moriarty, Miller and Corn Merchant, . . .	138 0 0
E. D. Burke, Spirit Dealer, . . .	34 10 0
James Davis, House Proprietor, . . .	150 0 0
John Gill, Hotel Keeper, . . .	124 5 0
Michael Sullivan, Farmer, . . .	341 0 0
Thomas Palmer, Brewer, . . .	345 0 0
F. T. Grealy, House Proprietor, . . .	35 15 0
Timothy Hennessey, Dealer, . . .	30 0 0
Robert Douglas, Solicitor, . . .	30 0 0
Edward Gullible, Wine Merchant, . . .	124 0 0

Town Commissioners.

ABSTRACT of the ACCOUNTS of the TOWN COMMISSIONERS of GALWAY for the Year ended the 29th September, 1876, showing the Receipts and Expenditure under the several heads during that period.

WATERWORKS ACCOUNT.

RECEIPTS.	Amount.
Name of Receipt.	£ s. d.
Balance in hands of Treasurers, . . .	1,611 10 0
Rents lodged, . . .	275 4 7
Interest allowed by Treasurers, . . .	6 3 3
	£2,192 17 9

EXPENDITURE.	Amount.
Name of Expenditure.	£ s. d.
Salaries and Wages, . . .	186 8 2
Maintenance, . . .	961 6 0
Telegrams, . . .	0 2 0
Rent, . . .	53 4 6
Taxes, . . .	65 19 2
Instalment of Loan, . . .	393 4 7
Interest Paid on Loan, . . .	21 10 3
Compensation for Damages to Lands, . . .	58 4 5
Law Costs, . . .	35 15 0
Balance due by Treasurers, . . .	461 8 7
	£3,190 17 9

3 E 2

392 LOCAL GOVERNMENT AND TAXATION INQUIRY COMMISSION (IRELAND).

Ann. No. 13.

ABSTRACT OF THE ACCOUNTS OF THE TOWN COMMISSIONERS OF GALWAY for the year ended the 30th September, 1876, showing the Receipts and Expenditure under the several heads during that period—continued.

Balance,
Abstract of
Accounts.

SEWERAGE ACCOUNT.

RECEIPTS.		EXPENDITURE.	
Name of Receipt.	Amount.	Name of Expenditure.	Amount.
	£ s. d.		£ s. d.
On account of Loan of £5,000,	500 0 0	Secretary Office's Salaries,	130 0 0
From Local Government Board, on account of Balance of Sewerage Officers,	30 0 0	Law Costs,	15 15 0
Board of Education Smith's Schools, on account of opening sewer,	3 0 0	Proportion of Secretary's Salary,	15 0 0
Interest allowed by Treasurer,	1 5 6	Prices for Sewerage,	125 13 4
		Construction of Small Sewers, &c.,	46 6 8
		Instalment on account of Loan,	14 9 6
		On account of Repairs to Slaughter House, Charges Book,	90 0 0
		Balance due by Treasurer,	36 10 6
	4334 5 6		4334 5 6

STREETS AND ROADS ACCOUNT.

	£ s. d.		£ s. d.
For Horses,	50 11 0	Balance due Treasurer,	454 7 7
On account Rates on Government Property, Rates lodged,	1,174 19 3	Expensing and Cleaning,	1,343 13 0
Balance due Treasurer,	623 6 6		
	4,158 1 1		4,158 1 1

ABSTRACT OF ACCOUNTS.

	£ s. d.		£ s. d.
Balance in Bank,	21 10 0	Receiver and Collector of Tolls, and Watchman,	249 14 4
Tolls,	928 10 10	Tolls granted to Gas Company,	632 0 0
At North Cross,	23 17 11	Additional Wages allowed to Tolls Collectors,	100 14 6
East,	12 16 4	Do. do. Watchmen,	35 0 0
West,	22 16 4	Gardens,	24 16 0
Wagh Bridge,	107 1 4	Slaughter House Keeper,	35 2 0
Bohemers,	85 6 1	Salary to Secretary,	83 11 8
Foster-street,	103 12 2	Balance on Account, Repairs to Slaughter House, Rent and Taxes—including £204, three years' Rent of Slaughter House,	73 10 10
Foster-street,	16 0 11	Repairs of Lamps,	50 5 1
Kilmore, 41, 50, 101; Victoria-place, 154; Merchants-quay, 12,	2 7 10	New Weights for Canses, &c.,	5 9 1
North-road,	45 1 4	Electric Expenses,	5 0 0
Ballybeg Gap,	35 2 8	Charges Books,	0 9 5
Williamstown-avenue,	6 10 5	Cholera for Watchmen,	11 15 6
Ballybeg,	11 10 2	Squares of Town Clock,	34 0 0
For Market,	5 0 0	Fuel and Gas for Slaughter House and Toll House, Printing and Stationery Bills,	42 12 2
From Standings,	13 11 6	Law Costs,	17 9 8
On Slaughter-house Accounts,	50 1 10	Salary of Town Steward,	12 3 4
Do. Private,	15 0 0	Assessors, including drawbacks at Cross, Balance,	42 12 11
For Keys of Square,	9 0 0		324 0 0
Key of do.	1 0 0		
Fines on Watchman, 12s.; Stationer, 30s.; Rent of Land, 7s. 6d.,	3 4 6		
Sewers sold, and Cleaning of Sewers, Theatre in Square,	1 0 0		
From Small Tolls,	16 7 3		
Sewerage Account, Amount paid by Tolls Amount in credit,	10 6 1		
Fees from Petty Sessions,	31 14 8		
Interest allowed by Treasurer,	0 16 3		
	41,630 7 6		41,630 7 6

I certify the foregoing to be a true abstract of the Receipts and Expenditure of the Town Commissioners of Galway for the year ended the 30th September, 1876.

Dated this 28th day of December, 1876.

ARTHUR McHUGH, Auditor.

Ann. No. 13.

Cash.

APPENDIX No. 19.

CASH.

Town Improvement Act of 1854. Population, 4,561. Number of Burgesses, 141. Rateable Value of Property, £5,687. Number of Persons Rated at £4 and up to £12, 125. Average within Municipal Area, 4,018. No Rates levied.

Town Com-
missioners.

TOWN COMMISSIONERS.

Name and Occupation.	Rating.	Name and Occupation.	Rating.
	£ s. d.		£ s. d.
Chaff, James G., Merchant (Cloth),	90 0 0	Moira, Andrew, Merchant (Cloth),	27 0 0
Coyne, Michael M., Apothecary,	12 10 0	Mokony, Daniel, Surgeon,	14 15 0
Dolan, Michael, Veterinary Surgeon,	89 0 0	Mullins, John, Merchant (Grocery, Spirits, and Hardware),	45 0 0
Dwyer, Michael, Merchant (Spirits and Lumber),	17 0 4	O'Sullivan, Michael, Merchant (Grocery and Spirits),	12 0 0
Eyre, Matthew, do., (Cloth),	12 0 0	Sayers, Hugh T., Solicitor,	22 0 0
Ferre, David, do., (Tobacco),	16 10 0	Scully, Denis J., Petty Sessions Clerk,	14 2 0
Hackett, Patrick, do., (Grocery, Spirits, and Hardware),	16 0 0	Wood, John, Apothecary,	17 0 0
Liffin, Thomas, Surgeon,	25 0 0		

GENERAL ABSTRACT of the ACCOUNTS of the TOWN COMMISSIONERS of the CITY of CASHIEL for one Year ended May 1st, 1878. Acc. No. 12.

1876, 1st May.	£	s.	d.	1876, 1st May.	£	s.	d.	Cashiel, Abstract of Accounts.
To Amount received:—				By Balance due to Treasurer on closing last year's Account.	156	0	7	
Per Rental,	1,224	14	8	By Amount paid:—				
Butter Market Tolls (Wednesdays),	19	10	4	Salaries and Wages,	160	16	3	
Do. do. (Saturdays),	16	8	6	Gas Expenditure,	627	8	4	
Rent of Town Hall,	1	13	0	Rent, Rentcharge, and Taxes,	105	15	6	
For Scales,	1	0	0	Sewerage,	37	12	10	
Do.	0	8	6	Grants for Educational purposes,	250	0	0	
Masses,	31	0	6	Plugging and Street Repairs,	172	12	4	
Gas,	2415	18	8	Building,	6	10	0	
Coke,	57	3	8	Landreels,	17	16	0	
				Grants for Clothing,	40	0	0	
Dog Tax,	503	3	2	Water Works, Repairs,	32	5	7	
Grand Jury Presentments,	12	4	6	Advertising, Printing, and Stationery,	13	1	4	
	223	5	6	Interest,	30	2	4	
				Agency Fees,	109	12	0	
				Butter Market Expenses,	56	0	0	
				Balance due by Treasurer,	163	14	8	
	42,043	9	8		42,053	9	8	

Cashiel, June 25, 1877.

JOHN CORRY, Town Clerk.

LIST of LANDS or TENEMENTS the Property of the Corporation of which Leases have fallen in since 1840. Names of Parties to whom re-let; the rents, and terms for which Leases were made; the rateable value on Griffith's valuation; stating if any of the Parties to whom Leases were made were at the time, or shortly before or since, Members or Officers of the Corporation, or nearly related to such. Lands or Tenements of which Leases have fallen in.

Transmission of Landlord Tenements of which Leases have fallen in since 1840	Names of Parties to whom re-let by Lease *	Rents.	Term of Lease	Griffith's Valuation.	Whether Members of Corporation or nearly related.
Owen and Hogg's Lot, Laker's Lot,	Representatives of Denis Henry,† John Ryan,† T. Henneberry, P. Thornton, J. Hogan, J. Quilligan, T. Walsh, T. Hines, J. Dunbar, T. Conners, Walter Ryan, J. Connolly, G. Square,	£ s. d. 6 10 3 10 10 9 5 14 0 3 18 0 3 15 6 4 15 0 5 4 0 5 4 0 4 5 4 4 2 6 3 15 0 3 15 0 5 9 0	Nil. Nil. Nil.	£ s. d. 10 10 0 30 0 0 20 10 0	Neither. Do. Neither.

* Name of these Parties re-let by Lease; the present occupiers all hold as yearly tenants.

† These parties, as the expiration of their Leases, were allowed to continue in occupation (at same rents) as yearly tenants.

January 30th, 1877.

JOHN CORRY, Town Clerk.

EXTRACTS from the MINUTE BOOKS of the TOWN COMMISSIONERS of the city of CASHIEL.

Extracts from Minute Books.

1843, October 20.—The object of the meeting having been to appoint valuator for the Corporation lands:

Moved by Mr. Dolan, seconded by Mr. Conan—

"That Thomas Heffernan of Ballynastion, and John Loughnane of Boytown, be appointed to value and lands, and that they be paid a sum of £10 each for such valuation they first subscribing a declaration to the following effect:—

"We, Thomas Heffernan and John Loughnane, do solemnly declare according to the provisions of the statute in that case made and provided, that we will truly, faithfully, and diligently examine into the value of the different lands, farms, and tenements (the corporate property of the city of Cashiel), which we may be appointed to value by the Commissioners of the said city, and that we will estimate the value of said lands, farms, and tenements to the best of our judgment, knowledge, and skill, at such value as would be according to our judgment, knowledge, and skill a fair and reasonable rent between landlord and tenant in this county, according to the circumstances of each case."

1844, February 26.—Moved by Mr. Conan, seconded by Mr. Power—

"That leases be made to such of the tenants as apply at the rent exclusive of the rentcharge ascertained by the valuation, and that our agent be directed to take proceedings against those tenants that do not settle."

An amendment was moved by Mr. Corby, seconded by Mr. Desmond—

"That leases be only made on the old rents."

The motion was carried by a majority of 10 to 3.

Moved by Mr. Dolan, seconded by Mr. Conan—

"That the tenancy commence at 29th September, 1843."

1st June, 1865.—Ordered.—That the agent, Mr. Conan, be directed to have a notice to quit served upon Richard Stapleton for having entered into the possession of Judith Ryan's farm, without liberty from the Commissioners, and for not satisfying the tenant in a just and reasonable claim which she had on the land."

Correct.

JOHN CORRY.

Cashiel, May 29, 1877.

Ann. No. 12.

Cashed.
Extracts from
Minute Books.

The following resolution was passed by the Town Commissioners of Cashel, on the 7th May, 1850:—

Moved by Dr. Russell, seconded by Mr. James

Dunn.—**RESOLVED**:—"That the resolution entered on the minutes of the 6th March, last, ordering James Keating

to be ejected in consequence of having subdivided his farm, shall be rescinded, but that in future any tenant parting with a portion of his land without the sanction of the Commissioners shall be dispossessed."

JOHN COLEBY, Town Clerk.

SCHEME for the APPROPRIATION of the CORPORATE FUNDS, CASHEL.

The Right Honourable the Attorney-General at the relation of ROBERT SCRIVEN,

WILLIAM PENNEFEATHER, CHARITY M. PENNEFEATHER, his Wife; RICHARD LONG, and the

COMMISSIONERS of the CITY of CASHEL,

vs. The Right Honourable Sir EDWARD BULMERASH SUGGES, Lord High Chancellor of Ireland.

MAY IT PLEASE YOUR LORDSHIP,

PURSUANT to a decree made in this cause, bearing date the 19th day of January, 1843, whereby it was referred to me to take an account of the rents and profits received by the defendant, William Pennefeather, out of the lands and premises comprised in the lease bearing date the 13th day of September, 1830, from the commencement of the said lease to the present time; and also to approve of a proper scheme for the appropriation of the income hereafter to arise from the estate in the pleadings in this cause mentioned, and of the funds which shall be paid into Court in this cause; I have inquired into the several matters so to me referred in the premises of the respective counsel and solicitors for the plaintiff and defendants, and also (with the concurrence of the Attorney-General) counsel and solicitors for certain of the inhabitants of the city of Cashel; and I find that the rents and profits of the lands and premises comprised in the said lease amount to the annual sum of £200, and the several parties, plaintiff and defendants in said suit, having ascertained among themselves, and respectively agreed that the rents and profits received by the defendant, William Pennefeather, out of said lands and premises from the commencement of said lease to the present time, after making him all just allowances, amount to the sum of £6,000 sterling, I find same accordingly, and the following scheme for the appropriation of the income arising from the estate above mentioned, and which amounts to the before-mentioned annual sum of £200, and of the funds to be paid into Court, consisting of the above-mentioned sum of £6,000, having been submitted to me, and examined and discussed by the counsel of the several parties heretofore mentioned, I have, with their assent, approved thereof, to wit:—

"Proposed scheme for the appropriation of the sum due for mesne rates and the annual rents and profits of the lands and premises in the pleading mentioned, in pursuance of the decree in this cause, which said mesne rates amount to £5,000, and which said annual rents and profits amount to £200 per annum.

First.—That a sum of £700, portion of said mesne rates, shall be laid out by the Commissioners of the city of Cashel, elected pursuant to the provisions of the Act passed in the ninth year of the reign of his late Majesty King George IV., intitled 'An Act to make provision for the Lighting, Cleansing, and Watering Cities, Towns Corporate, and Market Towns in Ireland in certain cases' in paving, flagging, and improving the streets of the city of Cashel.

Second.—That the sum of £300, portion of said mesne rates, or such part thereof as may be necessary, be applied by the said Commissioners in liquidation of the costs incurred by them in this cause and in the trial of the issues therein directed, when same shall be duly taxed and certified, and if there be any residue of said £300 after payment of said costs, that same shall be laid out in the purchase of clothing, to be distributed to the poor of Cashel by a committee of the clergy of Cashel of all denominations.

Third.—That a sum of £3,000, portion of said mesne rates, be expended by the said Commissioners in erecting a suitable gas house, and procuring and

laying down the necessary pipes and other matters necessary for lighting the city of Cashel with gas.

Fourth.—That the sum of £1,000, portion of said mesne rates, be expended by the said Commissioners in procuring the necessary supply of water for the inhabitants of said city of Cashel, by digging wells, laying water pipes, forming water cuts, erecting fountains, and erecting such other works as may be necessary for securing to the inhabitants a constant supply of pure water.

Fifth.—That a sum of £100, portion of said mesne rates, be applied towards the formation of a lying-in hospital for the poor of the city.

Sixth.—That a sum of £400, portion of said mesne rates, be applied by the said Commissioners in payment of the purchase money of the Rev. Mr. White's interest in the lands and premises called Cottrell's lot, part of the Corporation lands in the city of Cashel.

Seventh.—That a sum of £250, portion of said mesne rates, be applied in making a short road from said city of Cashel to the Commons of Cashel, or in repairing the present road from same to same.

Eighth.—That the sum of £240, portion of said mesne rates, be applied in erecting a mechanics' institute and temperance hall in said city of Cashel, and several sums of £2,000, £700, £300, £1,000, £100, £400, £240, and £300, be duly accounted for by said Commissioners before the Master in this cause.

Ninth.—That a sum of £1,000, portion of said mesne rates, be advanced to the Cashel Loan Board, established in said city of Cashel, in connection with and under the control of the Dublin Board.

Tenth.—That a sum of £100 a year, portion of the rents of said premises, be applied by the said Commissioners towards the lighting, cleansing, and supplying with water the city of Cashel.

Eleventh.—That a sum of £200 a year, portion of the rents and profits of said lands and premises, be applied to the support and maintenance of schools in said city of Cashel, that is to say:—£120 a year for two day schools, one for the education of boys and the other of girls, under the control of the National Board; and £80 a year for the support of similar schools under the control of the Protestant minister.

Twelfth.—That a sum of £120 a year, portion of said rents and profits, be applied towards the maintenance and support of the said lying-in hospital heretofore mentioned.

Thirteenth.—That the sum of £40 a year, portion of said rents and profits, be applied to the purchase of blankets to be distributed to the poor housekeepers of Cashel—to be distributed at Christmas by a committee of the clergy of Cashel of all denominations.

It is further proposed, as soon as there shall be any accumulation of the surplus rents and profits, to apply to the Court to have same expended for any charitable purposes which circumstances may render advisable. All which I certify and submit to your lordship as my report, this 2nd day of January, 1844.

(Signed), E. LITTON.

WILLIAM KEMMIE, Solicitor.

Received 2nd January, 1844.

FRANK PENNEFEATHER, Esq.